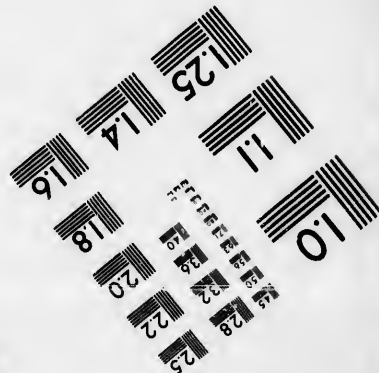
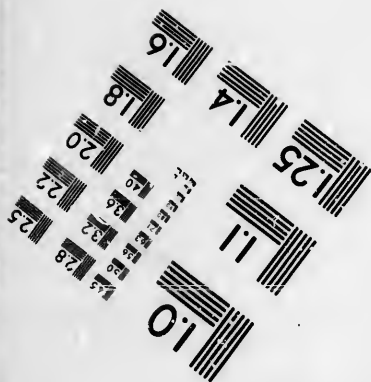
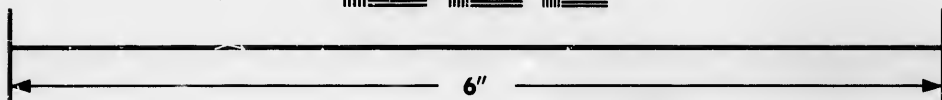
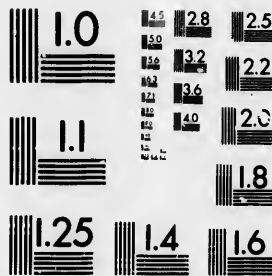


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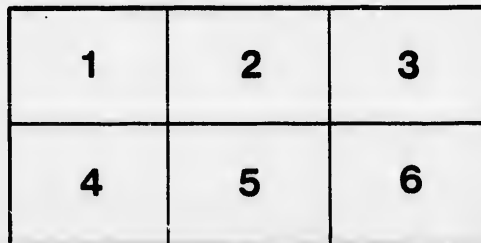
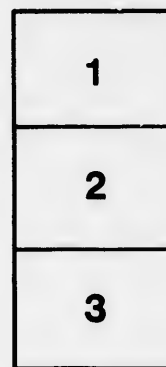
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K5
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Members of the City Council from the Incorporation of

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> |
|--------------|----------------------|--|--|
| 1846 | John Counter. | Aldermen. John H. Greer. Matthew T. Hunter. Councillors. James W. Brent. Samuel Smyth. | Aldermen. Henry W. Benson. James Baker. Councillors. William Ford. Robert Chanonhouse. |
| 1847 | Thomas Kirkpatrick. | Aldermen. Thomas Kirkpatrick. Joseph Brennan Hall. Councillors. Samuel Smyth. George McMahan. | Aldermen. James Baker. William Ford, Jr. Councillors. Robert Chanonhouse. James Linton. |
| 1848 | William Ford, Jr. | Aldermen. Francis Manning Hill. Samuel Smyth. Councillors. George McMahan. Robert Waddingham. | Aldermen. James Baker. William Ford, Jr. Councillors. Robert Chanonhouse. James Linton. |
| 1849 | Francis Manning Hill | Aldermen. Francis Manning Hill. Samuel Smyth. Councillors. George McMahan. Robert Waddingham. | Aldermen. James Baker. William Ford, Jr. Councillors. { Robert Chanonhouse. { Robert Anglin. James Linton. |

the City of Kingston in 1846 until 1849, inclusive.

| <i>St. Lawrence Ward.</i> | <i>Cataraqui Ward.</i> | <i>Frontenac Ward.</i> | <i>Clerk.</i> |
|---|---|---|------------------|
| Aldermen. John Counter. Matthew Rourk. Councillors. Robert Allen. John Wiley. | Aldermen. Edward Noble. James Meagher, Sr. Councillors. Robert Anglin. James Meagher, Jr. | Aldermen. Augustus Thibodo John Flanigan. Councillors. John Breden. John Harvey. | Michael Flanagan |
| Aldermen. John Counter. John M. wat. Councillors. Robert Allen. John Wiley. | Alderman. Thos. W. Robison. James Meagher, Sr. Councillors. Robert Anglin. John Patterson. | Aldermen. John Flanigan. John Breden. Councillors. John Harvey. John Crawford. | Michael Flanagan |
| Aldermen. John Counter. William Wilson. Councillors. Robert Allen. John Wiley. | Aldermen. Robert Anglin. Allan N. McLean. Councillors. John Patterson. William Simpson. | Aldermen. John Breden. John Flanigan. Councillors. John Crawford. John Harvey. | Michael Flanagan |
| Aldermen. Robert Allen. John Counter. Councillors. John Crawford. John Wiley. | Aldermen. Allan N. McLean. Michael McCuniffe. Councillors. Henry Bartliff. Thomas O. Butler. | Aldermen. John Breden. John Flanigan. Councillors. James Gardiner. Robert Matthews | Michael Flanagan |

Members of the City Council of the

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> | <i>St. Lawrence Ward.</i> |
|--------------|------------------------------------|---|---|---|
| 1850 | John Counter. | Alderman. A. J. Macdonell. Councillors. Samuel Smyth. R. Waddingham. | Alderman. James O'Reilly. Councillors. Robert Anglin. James Linton. | Alderman. John Counter. Councillors. John Shaw. John Wiley. |
| 1851 | Francis M. Hill. | Aldermen. A. J. Macdonell. Ken. Mackenzie. Councillors. Samuel Smyth. R. Waddingham. | Aldermen. William Ford, Jr. Robert Jackson. Councillors. Geo. McMahon. Ellery W. Palmer | Aldermen. Robert Allen. John Crawford. Councillors. James Chestnut. John Wiley. |
| 1852 | John Counter. | Aldermen. Francis M. Hill. A. J. Macdonell. Councillors. Samuel Smyth. R. Waddingham. | Aldermen. William Ford, Jr. Robert Jackson. Councillors. B. Fitzpatrick. Geo. McMahon. | Aldermen. John Counter. John Crawford. Councillors. William Rudston. John Wiley. |
| 1853 | John Counter. | Aldermen. A. J. Macdonell. Aug. Thibodo. Councillors. O. W. De l'Armitage. R. Waddingham. | Aldermen. James Baker. Robert Jackson. Councillors. B. Fitzpatrick. Wm. McMillan. | Aldermen. Hy. Armstrong. John Counter. Councillors. William Rudston. John Wiley. |
| 1854 | John Flanigan. | Aldermen. O.S.Gildersleeve. Horatio Yates. Councillors. Geo. W. Fenwick. Robt McCammon | Aldermen. James Baker. Robert Jackson. Councillors. Timothy Bowes. Stewart Milsap. | Aldermen. John R. Dickson. A. J. Macdonell. Councillors. Edwin Chown. William Rudston. |
| 1855 | John Counter. O.S.Gildersleeve. | Aldermen. O.S.Gildersleeve. Horatio Yates. Councillors. O. W. De l'Armitage. Thos. C. Pidgeon. | Aldermen. James Baker. B. Fitzpatrick. Robert Jackson. Councillors. James Campbell. Steward Milsap. | Aldermen. John R. Dickson. William Rudston. Councillors. Edward Chown. Thomas Overend. |
| 1856 | O.S.Gildersleeve. | Aldermen. O.S.Gildersleeve. Horatio Yates. Councillors. O. W. De l'Armitage. Thos. C. Pidgeon. | Aldermen. James Baker. James Harty. Councillors. Alex. M. Brown. James Campbell. | Aldermen. John R. Dickson. William Rudston. Councillors. Edwin Chown. Thomas Overend. |
| 1857 | George Davidson. | Aldermen. O. W. De l'Armitage. John Shaw. Councillors. Robt McCammon. Thos. C. Pidgeon. | Aldermen. James Baker. James Harty. Councillors. Alex. M. Brown. James Campbell. | Aldermen. John R. Dickson. William Rudston. Councillors. Edwin Chown. Thomas Overend. |

City of Kingston since 1850, inclusive.

| <i>Cataragui Ward.</i> | <i>Frontenac Ward.</i> | <i>Rideau Ward.</i> | <i>Victoria Ward.</i> | <i>Clerk.</i> |
|--|--|---|---|---------------|
| Alderman. M. McCuniffe. Councillors. Henry Bartliff. Thos. O. Butler. | Alderman. John Flanigan. Councillors. Geo. Davidson. Chas. Johnston. | Alderman. John Jenkins. Councillors. Wm. Breden. P. C. Murdock. | Alderman. Alex. Campbell Councillors. Joseph Milner. Sam. Rowlands | M. Flanagan. |
| Aldermen. James O'Reilly John Shaw. Councillors. William Allen. Henry Bartliff. | Aldermen. John Flanigan. Isaac Hope. Councillors. Geo. Davidson. James Gardiner | Aldermen. F. M. Hill. John Jenkins. Councillors. Thos. Brownley Dan. Callaghan | Aldermen. Alex. Campbell T. Kirkpatrick. Councillors. Joseph Milner. Sam. Rowlands | M. Flanagan. |
| Aldermen. James O'Reilly O. S. Strange. Councillors. William Allen. Jas. Meagher. | Aldermen. Geo. Davidson. John Flanigan. Councillors. James Gardiner Chas. Johnston. | Aldermen. John Breden. Thos. Briggs, jr. Councillors. D. Alexander. Thos. Brownley | Aldermen. Henry Sadler. M. W. Strange. Councillors. James Linton. Joseph Milner. | M. Flanagan. |
| Aldermen. William Allen. James O'Reilly Councillors. Thos. O. Butler. Peter McDonald. | Aldermen. Geo. Davidson. John Flanigan. Councillors. Chas. Johnston. P. C. Murdock. | Aldermen. John Breden. James Linton. Councillors. D. Alexander. Thos. Brownley | Aldermen. Joseph Milner. M. W. Strange. Councillors. Pat. McGrogan James Linton. | M. Flanagan. |
| Aldermen. Hy. J. Martin. O. S. Strange. Councillors. John Robbs. John Shaw. | Aldermen. Geo. Davidson. John Flanigan. Councillors. P. C. Murdock. Robt. McFaul. | Aldermen. John Breden. James Linton. Councillors. D. Alexander. Thos. Brownley | Aldermen. H. W. Benson. E. W. Palmer. Councillors. Pat. McGrogan James Renton. | M. Flanagan. |
| Aldermen. John Shaw. O. S. Strange. Councillors. John Dunn. George Robbs. | Aldermen. Geo. Davidson. John Flanigan. Councillors. H. Macdonald. Ed. Wilmot. | Aldermen. John Breden. John Waddell. Councillors. D. Alexander. Thos. Brownley | Aldermen. John Counter. Pat. McGrogan Councillors. C. W. Cooper. John H. Gaskin | M. Flanagan. |
| Aldermen. William Allen. A. J. Macdonell. Councillors. John Dunn. George Robbs. | Aldermen. Geo. Davidson. John Flanigan. Councillors. H. Macdonald. John Elliott. Ed. Wilmot. | Aldermen. Wm. Breden. Thos. Brownley Councillors. D. Alexander. John Loan. | Aldermen. James Linton. Pat. McGrogan Councillors. William Carter C. W. Cooper. | M. Flanagan. |
| Aldermen. William Allen. John Dunn. Councillors. Henry Bowman Wm. Draper. | Aldermen. Geo. Davidson. John Flanigan. Councillors. Robert Carson. Edw. Wilmot. | Aldermen. Thos. Brownley Bennet Parker. John Waddell. Councillors. D. Alexander. John Loan. | Aldermen. John Breden. Robt. Jackson. Councillors. C. W. Cooper. Jno. B. Rogers. | M. Flanagan. |

Members of the City Council of the

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> | <i>St. Lawrence Ward.</i> |
|--------------|----------------------|---|--|---|
| 1858 | John Flanigan. | Aldermen. O. W. De l'Armitage. John Shaw. Councillors. Robt McCammon Thos. C. Pidgeon. | Aldermen. James Baker. James Harty. Councillors. John Bowes. James Campbell. | Aldermen. John Duff. Edwin Chown. Councillors. George Brown. Patrick Hyland. James Bibby. |
| 1859 | O. S. Strange. | Aldermen. J. M. Hamilton. James Linton. Councilmen. Robt McCammon Michael Doran. | Aldermen. Daniel Macarow. John Bowes. Councilmen. William Brophy. Patrick Hyland. | Aldermen. A. H. Campbell. John Duff. Councilmen. George Brown. Dan C. Hickey. |
| 1860 | O. S. Strange. | Aldermen. Robt McCammon J. M. Hamilton. Councilmen. Thos. C. Pidgeon. Octavius Yates. | Aldermen. John Bowes. Daniel Macarow. Councilmen. Patrick Hyland. William Brophy. | Aldermen. Edward Berry. John Duff. A. H. Campbell. Councilmen. Jas. Richardson. Arthur Chown. |
| 1861 | O.S.G. Gildersleeve. | Aldermen. Robt McCammon J. M. Hamilton. Councilmen. Octavius Yates. Thos. C. Pidgeon. | Aldermen. John Bowes. Daniel Macarow. Councilmen. William Brophy. Patrick Hyland. | Aldermen. Edward Berry. Jas. Richardson. Councilmen. Donald McKay. George Brown. |
| 1862 | O.S. Gildersleeve. | Aldermen. G. M. Kinghorn. Robt McCammon Councilmen. Thos. C. Pidgeon. Octavius Yates. | Aldermen. James Baker. Daniel Macarow. Councilmen. William Brophy. Pat. J. Buckley. | Aldermen. George Brown. Donald McKay. Councilmen. Arthur Chown. John Smith. |
| 1863 | John Creighton. | Aldermen. G. M. Kinghorn. Robt McCammon Councilmen. Octavius Yates. Michael Sullivan. | Aldermen. Daniel Macarow. James Baker. Councilmen. William Brophy. William Allen. | Aldermen. George Brown. Donald McKay. Councilmen. John Smith. Thomas Conley |
| 1864 | John Creighton. | Aldermen. Robt McCammon G. M. Kinghorn. Councilmen. Michael Sullivan. George L. Mowat | Aldermen. Daniel Macarow. James Baker. Councilmen. William Brophy. William Allen. | Aldermen. George Brown. Donald McKay. Councilmen. Thomas Conley. John Smith. |
| 1865 | John Creighton. | Aldermen. C.F. Gildersleeve. G. M. Kinghorn. Councilmen. Michael Sullivan. James Falconer. | Aldermen. James Baker. Daniel Macarow. Councilmen. William Allen. William Brophy. | Aldermen. George Brown. Donald McKay Councilmen. John Smith. Thomas Conley. |

City of Kingston since 1850, inclusive.

| <i>Cataraqui Ward.</i> | <i>Frontenac Ward.</i> | <i>Rideau Ward.</i> | <i>Victoria Ward.</i> | <i>Clerk.</i> |
|--|--|--|---|---------------|
| Aldermen. William Allen. John Dunn. Councillors. Hy. Bowman. Wm. Draper. | Aldermen. Geo. Davidson. John Flanigan. Councillors. Robert Carson. Edw. Wilmot. | Aldermen. John Loan. A. J. O'Loughlin Councillors. T. L. Snook. Wm. Robinson. | Aldermen. John Breden. Robt. Jackson. Councilmen. Francis Little. John B. Rogers. | M. Flanagan |
| Aldermen. William Allen. A. Livingston. Councilmen. Peter Kilduff. Pat. Campbell. | Aldermen. John Flanigan. Edw. Wilnot. Councilmen. Jas. Gardiner. Robert Carson. | Aldermen. T. L. Snook. John Loan. Councilmen. Wm. Robinson. D. Alexander. | Aldermen. W. G. Draper. Jer. Meagher. Councilmen. Jno. Creighton. D. Cunningham | M. Flanagan. |
| Aldermen. A. Livingston. William Allen. Councilmen. Francis Weyms Peter Kilduff. | Aldermen. John Flanigan. Edw. Wilmot. Councilmen. William Fee. Jas. Gardiner. | Aldermen. D. Alexander. John Loan. Councilmen. Wm. Robinson. Bennett Parker | Aldermen. Jer. Meagher. W. G. Draper. Councilmen. D. Cunningham Jno. Creighton. | M. Flanagan. |
| Aldermen. A. Livingston. William Allen. Councilmen. Dennis Kane. C. Livingston. | Aldermen. Edw. Wilmot. John Flanigan. Geo. Davidson. Councilmen. Francis Bartlett William Fee. | Aldermen. John Loan. D. Alexander. Councilmen. Wm. Robinson. Thomas Flynn. | Aldermen. Jer. Meagher. W. G. Draper. Councilmen. John Noon. Samuel Shaw. J. McKelvey. | M. Flanagan. |
| Aldermen. William Allen. A. Livingston. Councilmen. Dennis Kane. C. Livingston. | Aldermen. Geo. Davidson. Edw. Wilmot. Councilmen. Patrick Conroy Francis Weyms | Aldermen. John Loan. Wm. Robinson. Councilmen. Thomas Flynn. J. McCammon. | Aldermen. Jno. Creighton. Jer. Meagher. Councilmen. Wm. Carter. Jno. McKelvey. | M. Flanagan. |
| Aldermen. William Allen. Joseph Dillon. Councilmen. Dennis Kane. C. Livingston. | Aldermen. John Shaw. Geo. Davidson. Councilmen. Geo. Newlands. Francis Weyms | Aldermen. T. L. Snook. Wm. Robinson. Councilmen. J. McCammon. Thomas Flynn. | Aldermen. Jer. Meagher. J. Cunningham. Councilmen. A. M. Brown. Jno. McKelvey. | M. Flanagan. |
| Aldermen. William Allen. Joseph Dillon. Councilmen. Dennis Kane. W. P. Phillips. | Aldermen. Edw. Wilmot. Geo. Davidson. Councilmen. Francis Weyms Hugh Cummins | Aldermen. Wm. Robinson. T. L. Snook. Councilmen. J. McCammon. Thomas Flynn. | Aldermen. Jer. Meagher. J. Cunningham. Councilmen. A. M. Brown. Jno. McKelvey. | M. Flanagan. |
| Aldermen. William Allen. Joseph Dillon. Councilmen. W. P. Phillips. Dennis Kane. | Aldermen. Geo. Davidson. Edw. Wilmot. Councilmen. C. Livingston. Hugh Cummins | Aldermen. Wm. Robinson. A. Livingston. Councilmen. Edward White. J. McCammon. | Aldermen. A. M. Brown. Jer. Meagher. J. Cunningham. Councilmen. Robt. Tomkins. Jno. McKelvey. | M. Flanagan. |

Members of the City Council of the

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> | <i>St. Lawrence Ward.</i> |
|--------------|-------------------|--|---|---|
| 1866 | John Breden. | Aldermen. C.F.Gildersleeve. G. M. Kinghorn. Councilmen. Michael Sullivan. James Falconer. | Aldermen. Daniel Macarow. James Harty. William Brophy. Councilmen. William Allen. Peter McDonald. | Aldermen. P. R. Henderson. George Brown. Councilmen. Edward White. John Smith. |
| 1867 | John Breden. | Aldermen. C.F.Gildersleeve. G. M. Kinghorn. Michael Sullivan. | Aldermen. William Brophy. Hy.Cunningham. Barth. Neiligan. | Aldermen. Geo. Brown. P. R. Henderson. Edward White. |
| 1868 | John Breden, | C.F.Gildersleeve. G. M. Kinghorn. Michael Sullivan. | William Brophy. Hy.Cunningham. Barth. Nelligan. | George Brown. P. R. Henderson. Edwin Chown. |
| 1869 | Wm. Robinson. | C.F.Gildersleeve. G. M. Kinghorn. Michael Sullivan. | William Brophy. Hy.Cunningham. James Shaw. | P. R. Henderson. Edwin Chown. S. T. Drennan. |
| 1870 | Wm. Robinson. | C.F.Gildersleeve. G. M. Kinghorn. Michael Sullivan. | William Brophy. Hy.Cunningham. James Shaw. | Edwin Chown. S. T. Drennan. C. V. Price. |
| 1871 | Arch. Livingston. | Michael Sullivan. C.F.Gildersleeve. G. M. Kinghorn. | Hy.Cunningham. William Brophy. James Shaw. | S. T. Drennan. C. V. Price. Edwin Chown. |
| 1872 | S. T. Drennan. | Michael Sullivan. C.F.Gildersleeve. G. M. Kinghorn. | Hy.Cunningham. Patrick Harty. William Brophy. | S. T. Drennan. C. V. Price. Edwin Chown. |
| 1873 | H. Cunningham. | Michael Sullivan. G. M. Kinghorn. Byron M. Britton. C.F.Gildersleeve. | William Brophy. Patrick Harty. H. Cunningham. | S. T. Drennan. Edwin Chown. C. V. Price. |
| 1874 | Michael Sullivan. | Byron M. Britton. W. McRossie. William Powers. | Patrick Harty. William Brophy. William Allen. | Edwin Chown. S. T. Drennan. C. V. Price. |
| 1875 | Michael Sullivan. | W. McRossie. William Powers. Byron M. Britton. | William Brophy. Patrick Harty. Leonard Clements | Edwin Chown. S. T. Drennan. C. V. Price. |
| 1876 | Byron M. Britton. | W. McRossie. William Powers. Augustus Thibodo | C.F.Gildersleeve. Patrick Harty. Leonard Clements | S. T. Drennan. C. V. Price. T. R. Dupuis. |

City of Kingston since 1850, inclusive.

| <i>Cataraqui Ward.</i> | <i>Frontenac Ward.</i> | <i>Rideau Ward.</i> | <i>Victoria Ward.</i> | <i>Clerk.</i> |
|--|--|--|---|---------------|
| Aldermen. Francis Tracy. John McMillan Councilmen. Wm. Draper. Dennis Kaue. | Aldermen. Geo. Davidson. Edw. Wilmot. Councilmen. C. Livingston. Hugh Cummins | Aldermen. Wm. Robinson. A. Livingston. Councilmen. J. McCammon. David Gibson. | Alderman. A. M. Brown. J. Cunningham. Councilmen. Jno. McKelvey Robt. Tomkins. | M. Flanagan. |
| Aldermen. William Allen. John McMillan Joseph Dillon. | Aldermen. Thos. Robinson Geo. Davidson. Edw. Wilmot. | Aldermen. Wm. Robinson A. Livingston. David Gibson. | Aldermen. John Breden. A. M. Brown. Jno. McKelvey | M. Flanagan. |
| William Allen. John McMillan Joseph Dillon. | Thos. Robinson Geo. Davidson. Edw. Wilmot. | Wm. Robinson A. Livingston. David Gibson. | John Breden. A. M. Brown. J. Cunningham. | M. Flanagan. |
| William Allen. John McMillan Joseph Dillon. | Thos. Robinson Geo. Davidson. C. Livingston. | Wm. Robinson. A. Livingston. David Gibson. | A. M. Brown. J. Cunningham. Robt. Tomkins. | M. Flanagan. |
| William Allen. John McMillan Joseph Dillon. | Thos. Robinson Geo. Davidson. C. Livingston. | Wm. Robinson A. Livingston. David Gibson. | Jas. Richardson Robt. Tomkins. A. McCormick. | M. Flanagan. |
| William Allen. John McMillan John Rourk. | Geo. Davidson. C. Livingston. Thos. Robinson | Wm. Robinson A. Livingston. David Gibson. | A. McCormick. Robt. Tomkins. Jas. Richardson | M. Flanagan. |
| William Allen. John McMillan John Rourk. | C. Livingston. Arthur Chown. Thos. Robinson | John McIntyre. David Gibson. Thos. Briggs. | J. G. Macdonald John McKelvey Jas. Richardson | M. Flanagan. |
| William Allen. John Rourk. Robert White. | C. Livingston. J. Greenfield. J. H. Metcalfe. | W. Robinson. J. McIntyre. R. J. Carson. | J. McKelvey. A. McCormick. J. Richardson. | M. Flanagan. |
| William Allen. John Rourk. Robert White. S. P. White. | Arthur Chown. J. H. Metcalfe. J. Greenfield. David Gibson. | John McIntyre. R. J. Carson. Edward Law. | J. McKelvey. Jas. Downing. John Mudie. | M. Flanagan. |
| Isaac Noble. William Allen. S. P. White. | J. H. Metcalfe. David Gibson. Arthur Chown. | W. McCammon R. Carnovsky. R. J. Carson. John McIntyre. | John Gaskin. John Mudie. Jas. Downiug. | M. Flanagan. |
| William Allen. Isaac Noble. S. P. White. | J. McCammon. E. J. B. Pense. J. H. Metcalfe. | John McIntyre. R. J. Carson. R. Carnovsky. | John Gaskin. J. McKelvey. Geo. J. Tandy. | M. Flanagan. |

Members of the City Council of the

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> | <i>St. Lawrence Ward.</i> |
|--------------|---------------------|---|---|--|
| 1877 | John McKelvey. | Aldermen. W. McRossie. C. F. Gildersleeve. William Powers. | Aldermen. Leonard Clements Patrick Hartly. J. F. McDermott. | Aldermen. T. R. Dupuis. C. V. Price. S. T. Drennan. |
| 1878 | John McIntyre. | J. P. Gildersleeve. Samuel Woods. W. McRossie. | William Wilson. Leonard Clements Patrick Hartly. | C. V. Price. T. R. Dupuis. S. T. Drennan. |
| 1879 | C. F. Gildersleeve. | W. McRossie. J. P. Gildersleeve. William Hartly. | J. F. McDermott. William Irving. William Wilson. | Tunis L. Snook, James Redden. S. T. Drennan. |
| 1880 | Robert J. Carson. | W. McRossie. J. P. Gildersleeve. William Hartly. | William Wilson. William Irving. Leonard Clements | T. R. Dupuis. Tunis L. Snook. T. McMahon. |
| 1881 | E. J. B. Pense. | E. H. Smythe. T. H. McGuire. J. P. Gildersleeve. | William Irving. Leonard Clements William Wilson. | Wm. Robinson. Robert J. Carson. T. McMahon. |
| 1882 | John Gaskin. | E. H. Smythe. J. P. Gildersleeve. T. H. McGuire. | Leonard Clements William Irving. William Wilson. | Robert J. Carson. James Redden. T. R. Dupuis. |
| 1883 | Chas. Livingston. | E. H. Smythe. T. H. McGuire. Felix Shaw. | Leonard Clements William Wilson. William Irving. | James Redden. Robert J. Carson. John L. Whiting. |
| 1884 | Jas. McCammon. | E. H. Smythe. T. H. McGuire. Felix Shaw. | C. Birmingham. William Wilson. Leonard Clements | James Redden. John L. Whiting. George S. Hobart. |
| 1885 | Edw. H. Smythe. | William Hartly. C. F. Gildersleeve. Cham. A. Irwin. | C. Birmingham. William Wilson. Leonard Clements | George S. Hobart. John L. Whiting. James Redden. |
| 1886 | John L. Whiting. | C. F. Gildersleeve. William Hartly. Cham. A. Irwin. | Leonard Clements C. Birmingham. Robert Gardiner. William Wilson. | John McKay, Jr. George S. Hobart. James Redden. |
| 1887 | John Carson. | J. S. Muckleston. William Hartly. C. F. Gildersleeve. | William Wilson. Chas. F. Smith. T. H. McGuire. Joseph F. Swift. | James Redden. John McKay. George S. Hobart. |
| 1888 | Jas. D. Thompson. | J. S. Muckleston. William Hartly. C. F. Gildersleeve. | Joseph F. Swift. Geo. S. Fenwick. William Wilson. | James Minnes. James Redden. Neil C. Polson. |

City of Kingston since 1850, inclusive.

| <i>Cataraqui Ward.</i> | <i>Frontenac Ward.</i> | <i>Rideau Ward.</i> | <i>Victoria Ward.</i> | <i>Clerk.</i> |
|--|---|--|---|---------------|
| Aldermen. William Allen. Isaac Noble. Jas. Campbell. | Aldermen. J. H. Metcalfe. E. J. B. Pense. J. McCammon. | Aldermen. John McIntyre. R. J. Carson. I. Asselstine. | Aldermen. John Gaskin. R. T. Walkem. Henry Mooers. | M. Flanagan. |
| J.D.Thompson. William Allen. W. B. Anglin. | J. H. Metcalfe. E. J. B. Pense. J. McCammon. | R. J. Carson. I. Asselstine. Samuel H. Fee. | John Gaskin. R. T. Walkem. Henry Mooers. | M. Flanagan. |
| William Allen. W. B. Anglin. John K. Oliver. | E. J. B. Pense. J. McCammon. T. H. McGuire. | John McIntyre. R. J. Carson. Samuel H. Fee. | John Gaskin. J. McKelvey. H. A. Mooers. | M. Flanagan. |
| John Maloney. William Allen. W. B. Anglin. | E. J. B. Pense. J. McCammon. T. H. McGuire. | Edward Law. Samuel H. Fee. John McIntyre. | John Gaskin. O. F. Gildersleeve. Michael Doran. | M. Flanagan. |
| William Allen. W. B. Anglin. John Maloney. | W. D. Gordon. Isaac Newlands J. McCammon. | Edward Law. John Carson. Robert Gage. | John Gaskin. O. F. Gildersleeve. James Wilson. | M. Flanagan. |
| W. B. Little. Joseph Quigley William Allen. | W. D. Gordon. G. Creeggan. J. McCammon. | John Carson. Edward Law. John McIntyre. | O. F. Gildersleeve. James Craig. Jas. Downing. | M. Flanagan. |
| William Allen. Wm. J. Crothers Joseph Quigley | W. D. Gordon. Geo. Creeggan. William Dunn. | John Carson. John McIntyre. Edward Law. | O. F. Gildersleeve. James Wilson. Jas. Downing. | M. Flanagan |
| Joseph Quigley William Allen. R. J. Eilbeck. | William Dunn. W. Robinson, Jr J. D. Thompson | Wm. Adams. Edward Law. John Carson. | James Wilson. J. McKelvey. Jas. Downing. | M. Flanagan. |
| W.M. Drennan. Wm. B. Little. J.F. McDermott | J. D. Thompson John O'Brien William Dunn. | John Carson. Wm. Adams. C. Robinson. | R. W. Shannon. J. McKelvey. James Wilson. | M. Flanagan. |
| R. J. Eilbeck. W.M. Drennan. Wm. B. Little. | J. D. Thompson John O'Brien William Dunn. | John Carson. C. Robinson. John McIntyre. | Jos. Hiscock, R. W. Shannon, James Wilson. | M. Flanagan, |
| Danl. Phelan. W.M. Drennan. Fred. S. Rees. | J. D. Thompson Nat. Wilmot. Ww. Robinson. | John McIntyre. C. Robinson. Wm. Snowden. | Jos. Hiscock. R. W. Shannon. Jas. Downing. | M. Flanagan. |
| Danl. Phelan. John Gaskin. Thos. T. Miller. W.M. Drennan. | J. McCammon. Nat. Wilmo' Wm. Robinson. | Wm. Adams. John McIntyre. C. Robinson. | Wm. Dunlop. Jos. Hiscock. R. W. Shannon. | M. Flanagan |

Members of the City Council of the

| <i>Year.</i> | <i>Mayor.</i> | <i>Sydenham Ward.</i> | <i>Ontario Ward.</i> | <i>St. Lawrence Ward.</i> |
|--------------|-------------------|---|--|--|
| 1889 | Jas. D. Thompson. | Aldermen. C. F. Gildersleeve. William Harty. J. S. Muckleston. | Aldermen. Geo. S. Fenwick. William Wilson. Joseph F. Swift. | Aldermen. James Minnes. Wm. Robinson. Neil C. Polson. |
| 1890 | W. M. Drennan. | J. S. Muckleston. Edw. T. Steacy. James Swift. | Joseph F. Swift. Geo. S. Fenwick. William Wilson. | James Minnes. James Redden. Wm. Robinson. |
| 1891 | W. M. Drennan. | Edw. T. Steacy. J. S. Muckleston. John Herald. | Joseph F. Swift. William Wilson. Chas. H. Martin. | Chas. Livingston. John C. Hardy. John S. Skinner. |
| 1892 | D. M. McIntyre | Robert Meek. John Herald. W. M. Drennan. | William Wilson. Chester L. Curtis. John J. Behan. | John C. Hardy. John S. Skinner. Chas. Livingston. |

City of Kingston since 1850, inclusive.

| <i>Cataraqui Ward.</i> | <i>Frontenac Ward.</i> | <i>Rideau Ward.</i> | <i>Victoria Ward.</i> | <i>Clerk.</i> |
|--|--|---|--|---------------|
| Aldermen. John Gaskin. Fred. S. Rees. W.M. Drennan. | Aldermen. W. H. Carson. J. McCammon. Geo. Creeggan. | Aldermen D.M. McIntyre C. Robinson. Wm. Adams. | Aldermen. Jos. Hiscock. R. W. Shannon. John McLeod. | M. Flanagan. |
| John Gaskin. Samuel Anglin. Fred. S. Rees. | J.D. Thompson. Geo. Creeggan. J. McCammon. | D.M. McIntyre D. A. Givens. Geo. Osborne. | W. A. Webster. R. W. Shannon. J. M. Machar. | M. Flanagan. |
| John Gaskin. Fred. S. Rees. F. X. Lachance | J.D. Thompson. C. W. Wright. W. H. Carson. J. McCammon. | D.M. McIntyre Neil. C. Polson Robt F. Elliott. | George Cliff. Wm. Dunlop. John McLeod. | M. Flanagan. |
| John Gaskin. Edward Ryan. S. Oberndorffer | W. H. Carson. C. W. Wright. Geo. Creeggan. | Neil C. Polson Robt. F. Elliott C. Robinson. | Wm. Dunlop. John McLeod. W. J. Fair. | M. Flanagan. |

THE PUBLIC OFFICIALS.

Officers of City Council, 1892.

| | |
|--|--------------------|
| CITY CLERK..... | MICHAEL FLANAGAN |
| Appointed Ass't Town Clerk June 1st, 1843; Town Clerk April 14th, 1845; and City Clerk June 15th, 1846. | |
| CITY TREASURER..... | FRANCIS C. IRELAND |
| Appointed Assistant, Nov. 6th, 1872, and City Treasurer, April 7th, 1879. | |
| CITY SOLICITOR..... | JAMES AGNEW |
| Appointed June 21st, 1858. | |
| CITY ENGINEER..... | THOMAS O. BOLGER. |
| Appointed September 1st, 1887. | |
| CLERK OF MARKET AND HARBOR MASTER..... | WILLIAM McCAMMON |
| Appointed October 1st, 1890. | |
| ASSESSOR AND CITY COMMISSIONER..... | WILLIAM S. GORDON |
| Appointed June 27th, 1881. | |
| COLLECTOR OF TAXES..... | GEORGE THOMPSON |
| Appointed January 9th, 1888. | |
| SUPERINTENDENT OF WATER WORKS..... | T. HEWITT |
| Appointed January 1st, 1888. | |
| HIGH BAILIFF..... | EDWIN HORSEY |
| Appointed February 18th, 1882. | |
| MESSANGER..... | ANDREW LANIGAN |
| Appointed May 6th, 1861. | |

Fire Department.

| | |
|--------------------------------|-----------------------------|
| CHIEF ENGINEER..... | H. YOULDEN |
| Appointed November 30th, 1885. | |
| FOREMAN..... | JOHN LEMON |
| Appointed December 14th, 1891. | |
| MECHANICAL ENGINEER..... | WILLIAM MILLER |
| Appointed March 21st, 1892. | |
| CARETAKER OF PARK..... | ALEXANDER McCABE |
| Appointed March 2nd, 1864. | |
| AUDITORS (1892)..... | JOHN P. ORAM, ADAM McARTHUR |

License Commissioners.

ROBERT CRAWFORD, Chairman; THOMAS HANLEY, JOHN McKELVEY.
WILLIAM GLIDDEN, License Inspector, Secretary to the Board.

Board of Commissioners of Police.

HIS WORSHIP THE MAYOR, Chairman.

C. V. PRICE, County Judge, JOHN DUFF, Police Magistrate.
 CLERK OF THE BOARD.....EDWIN HORSEY, Chief Constable.

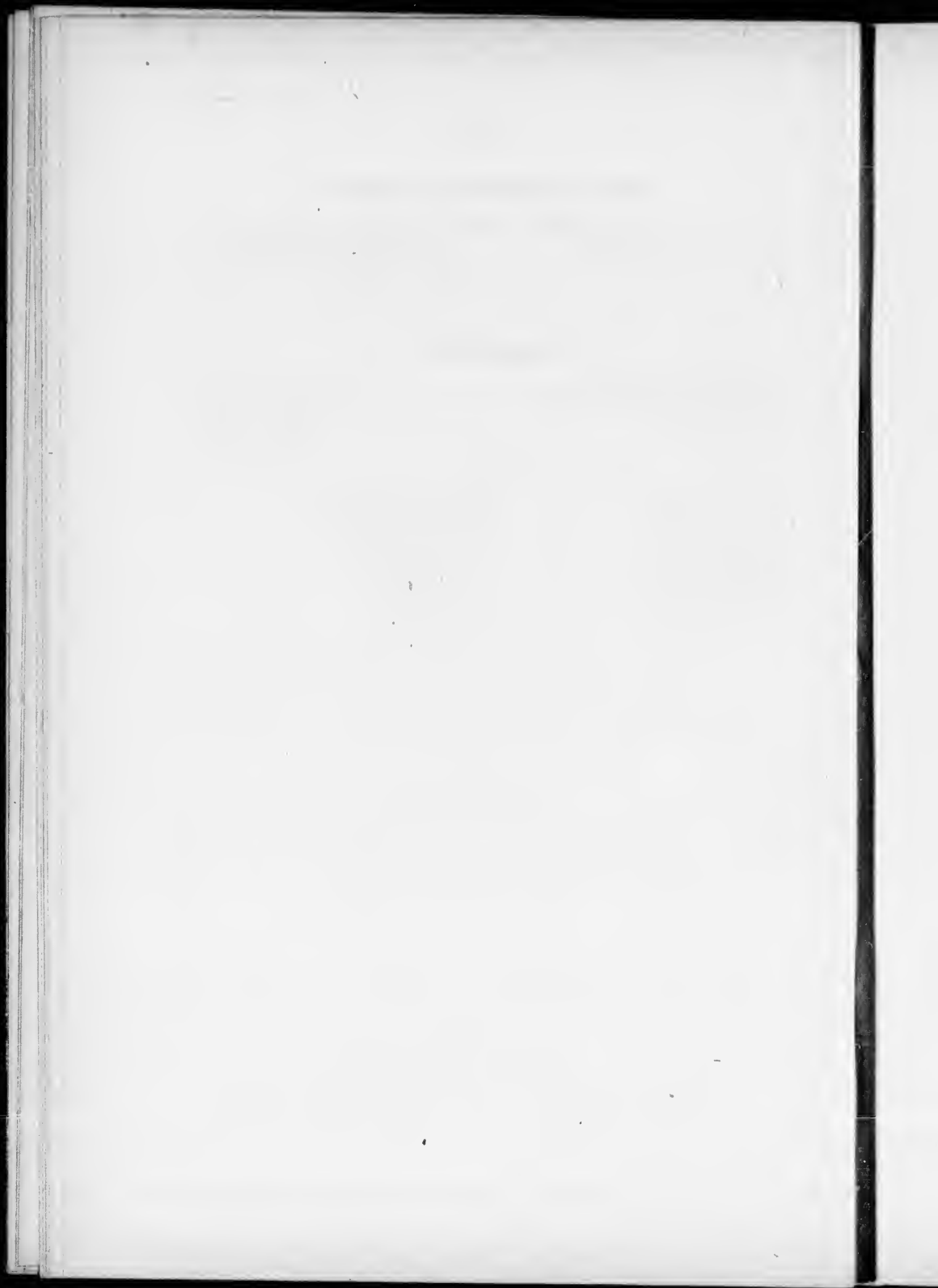
Police Court.

POLICE MAGISTRATE JOHN DUFF
 CLERK OF THE POLICE COURT MICHAEL FLANAGAN
 CHIEF CONSTABLE EDWIN HORSEY
 SERGEANTS (ROBERT NESBIT
 (ALEX. SNODDEN

OFFICERS.

| | |
|------------------|---------------------|
| PHILIP H. SMALL. | NICHOLAS TIMMERMAN. |
| ORLANDO BURNETT. | SAMUEL McCULLAGH. |
| JAMES MEGARRY. | JOHN BALLANTYNE. |
| JOHN TUTTLE. | JAMES BATESON. |
| ROBERT E. AIKEN. | HUGH LAWSON. |
| JAMES A. CRAIG. | DAVID DOWNIE. |

ANAGAN
 , 1845 ;
 RELAND
 , 1879.
 AGNEW
 BOLGER.
 CAMMON
 GORDON
 POMPSON
 HEWITT
 HORSEY
 ANIGAN
 OULDEN
 LEMON
 MILLER
 McCABE
 ARTHUR
 VEY.



BY-LAWS.

NO. 446.

**A By-Law respecting the Interpretation of the By-Laws of the
City of Kingston.**

Passed, Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :

1. This By-law may be cited as "The Interpretation By-law."

2. In the construction of every By-law of the said Council, passed after this By-law takes effect, except in so far as the provisions of this section are inconsistent with the intent and meaning of such By-law, or the interpretation which such provisions would give to any word, expression or clause, is inconsistent with the context, and except in so far as any provision thereof is in any such By-law declared not applicable thereto, and subject to the rule of law in the case.

(1.) The law shall be considered as always speaking, and whenever any matter or thing is expressed in the present tense the same is to be applied to the circumstances as they arise so that effect may be given to each By-law, and every part thereof, according to its spirit, true intent and meaning.

(2.) The word "shall" shall be construed as imperative, and the word "may" as permissive.

(3.) Whenever the word "herein" is used in any section of a By-law, it shall be understood to relate to the whole By-law, and not to that section only.

(4.) The word "person" shall include any body corporate, or politic, or party, and the heirs, executors, administrators, or other legal representatives, of such person, to whom the context can apply according to law.

(5.) The word "month" shall mean a calendar month, and the word "year" a calendar year.

(6.) The word "holiday" shall include Sunday, New Year's Day, Good Friday, Christmas Day, Dominion Day, the Birthday of Her Majesty, and Her Royal successors, and any day appointed by proclamation of the Governor-General, or Lieutenant-Governor, as a public holiday, or for a general fast or thanksgiving, or any day proclaimed by the Mayor as a public holiday under the authority of this Council.

(7.) Words importing the singular number, or the masculine gender only, shall include more persons, parties, or things, of the same kind, than one, and females as well as males, and the converse.

(8.) The word "sureties" shall mean sufficient sureties, and the word "security" shall mean sufficient security.

(9.) The repeal of any By-law, or part of a By-law, shall not revive any By-law or provisions of law repealed by such By-law, or part of a By-law, or prevent the effect of any saving clause therein, unless otherwise expressly declared, or prevent the application of any such By-law, or part of a By-law, as first in this section is mentioned, to any transaction, matter, or thing, anterior to the repeal of the same, to which it would otherwise apply.

(10.) Where a By-law is repealed wholly, or in part, and other provisions substituted, all officers, persons, bodies politic, or corporate, acting under the old law, shall continue to act as if appointed under the new law, until others are appointed in their stead, and all proceedings taken under the old law shall be taken up and continued under the new law, when not inconsistent therewith, and all penalties and forfeitures may be recovered, and all proceedings had, in relation to matters which have happened before the repeal, in the same manner as if the law were still in force, pursuing the new provisions as far as they can be adapted to the old law,

(11.) No offence committed, and no penalty or forfeiture incurred, and no proceeding pending under any By-law, at any time repealed, shall be affected by the repeal except that the proceedings shall be conformable where necessary to the repealing By-law, and, that where any penalty, forfeiture or punishment has been mitigated by any of the provisions of the repealing By-law, such provisions shall be extended and applied to any judgement to be pronounced after such repeal.

(12.) This By-law shall come in force, and take effect on its passing.

No. 447.

**A By-Law to Regulate the Proceedings of the Municipal Council
of the Corporation of the City of Kingston.**

Passed, Monday, 3rd April, 1893.

Whereas it is expedient to pass a By-law to regulate the proceedings in the Municipal Council of the Corporation of the City of Kingston and Committees of the same ;

Be it therefore enacted by the said Council that the following Rules and Regulations shall be observed for the order, and dispatch of business in the said Council and its Committees :

1. That the Council shall meet every alternate Monday in the year, beginning with the first Monday after inauguration, at 8 o'clock p.m., unless otherwise ordered by special motion, or unless such Monday shall be a public holiday according to law, when the Council shall meet at the same hour on the following evening. The Mayor may at any time summon a special meeting, and it shall be his duty to do so whenever requested in writing by a majority of the members of the Council.

2. That unless there shall be a quorum present in ten minutes after the time appointed for the meeting of Council, the Council shall stand absolutely adjourned until the next day of meeting.

3. As soon after the hour of meeting as there shall be a Quorum present the Mayor shall take the chair and call the members to order.

4. In case the Mayor is absent, or should wish to leave the Chair, the Clerk will call the members to order, and on a Chairman being chosen the business shall be proceeded with.

5. The Mayor or Presiding Alderman shall preserve order and decorum ; he may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the Council on motion of any member regularly seconded.

6. The Mayor or Presiding Alderman shall not take part in debate except in Committee of the Whole. He may, however, state facts and give his opinion on questions of order.

7. When the Mayor or Presiding Alderman is called upon to decide a point of order or practice he shall, if requested by any member of the Council, state the law and rule applicable to the case.

8. Immediately after the Mayor or Presiding Alderman shall have taken his seat at any regular meeting the minutes of the preceding meeting or meetings shall be read by the Clerk, in order that any mistake therein may be corrected by the Council, and business proceed in order.

9. Every member of the Council shall rise when he addresses the Chair, but may read sitting.

10. The Mayor or Presiding Alderman shall propose all questions, in the reverse order in which they are moved, except in naming sums and fixing times, when the largest sum and the longest time shall be put first.

11. After a motion is seconded and submitted by the Mayor or Presiding Alderman it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment with permission of the Council.

12. The Mayor or Presiding Alderman shall consider a motion to adjourn as always in order unless a member has pos-

session of the floor, or any question has been put and not decided; and it shall be decided by the Council without debate. But no second motion to the same effect shall be made until after some intermediate proceeding shall have been had.

13. No question or motion shall be debated or put unless the same be seconded. When a motion is seconded it shall be stated by the Mayor or Presiding Alderman before debate, and every such motion shall be reduced to writing.

14. When a motion is under debate no motion shall be received unless—

- | | |
|---------------------------|---------------------------|
| 1. To amend; | 4. To postpone it; |
| 2. To refer to Committee; | 5. For previous question; |
| 3. To lay on the table; | 6. To adjourn. |

15. The previous question, until it is decided, shall preclude all amendments and debate of the main question, and shall be in this form: "Shall the main question now be put?"

16. The yeas and nays on any division may be called for by any member.

17. When two or more members happen to rise at the same time, the Mayor or Presiding Alderman shall name the member who is first to speak.

18. When any member is about to speak in debate, or deliver any matter in Council, he shall rise in his place, and respectfully address the Mayor or Presiding Alderman, and shall confine himself to the question under debate, or consideration; he shall strictly avoid all personality, and shall sit down as soon as he is done speaking.

19. Every member who shall be present when a question is put shall vote thereon, unless the Council shall excuse him or unless he be personally interested in the question; provided such interest is resolvable into personal pecuniary profit, and not in common with the interests of the citizens at large, in which case he shall not vote.

20. When the Mayor, or Presiding Alderman, is putting a question no member shall walk out of the room, nor when a

member is speaking shall any other member hold discourse which may interrupt him ; but if any member is speaking or otherwise transgressing the rules of the Council, the Mayor, or Presiding Alderman, shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down, unless permitted to explain ; and the Council, if appealed to, shall decide on the case, but without debate.

21. Any member may of right require the question or motion in discussion to be read for his information at any time during the debate, but not so as to interrupt a member speaking.

22. No member shall speak more than once (and then not longer than ten minutes unless permitted by the Council) to the same question except the mover, who will have the right of replying when all other members choosing to speak shall have spoken, unless the member wishes to explain a material part of his speech, which may have been misconceived or misunderstood, but then he is not to introduce any new matter.

23. When a motion has once been made, and carried in the affirmative or negative, it shall be in order for any member to move for a reconsideration ; and if such motion is seconded it shall be open to debate and be disposed of by the Council, and in case the motion be made at the same meeting it shall be competent for a majority of the members present to pass a vote of reconsideration, but if it be not made until next meeting the subject shall not be reconsidered, unless a majority of the whole Council shall vote therefor ; but no more than one motion for reconsideration of any vote shall be permitted.

24. Whenever it shall be moved and carried that the Council shall go into a Committee of the Whole, the Mayor or Presiding Alderman shall leave the Chair and appoint a Chairman of the Committee of the Whole, who shall report the proceedings of the Committee. The rules of proceeding in Council shall be observed in Committee of the Whole, so far as they may be applicable, except the rule limiting the number of times of speaking, and the taking of the yeas and nays ; but no member shall speak more than once to any question until every other member choosing to speak shall have spoken.

25. On motion in Committee to rise and report the question shall be decided without debate.

26. Of the number of members appointed to compose a Committee, such number thereof as shall be equal to a majority of the whole number chosen shall be a quorum competent to proceed to business.

27. Every member who shall introduce an Act, By-law, Petition or Motion, upon any subject which may be referred to a Select Committee, shall be one of the Committee without being named by the Council, and shall be Chairman thereof.

28. When an Act, By-law or Petition is read in the Council the Clerk shall certify the readings and the time on the back thereof. All petitions or other written communications on any subject within the cognizance of any standing committee shall, on presentation, be referred by the Mayor or Presiding Alderman to the proper committee without any motion, unless the Council otherwise decides.

29. Every Act or By-law shall be read twice before it is committed and engrossed, and read a third time before it is signed by the Mayor. The second reading shall always be in Committee of the Whole and clause by clause.

30. No Act or By-law brought into the Council shall have more than one reading on the same day.

31. The following shall be the general order of business at each regular meeting.

- | | |
|-----------------------------|------------------------------|
| (1) Calling Roll by Clerk. | (5) Reports. |
| (2) Reading Minutes. | (6) Unfinished Business. |
| (3) Reading Communications. | (7) Motions. |
| (4) Receiving Petitions. | (8) Consideration of By-laws |

32. Committees shall be appointed on motion of a member, by consent of a majority of the Council. Committees appointed to report on any subject referred to them by the Council shall report a statement of facts, and also their opinion thereon in writing; and no report shall be received unless the same be

signed by a majority of the Committee. In the absence of the Chairman of any Committee, the Committee shall have power to appoint a Chairman *pro tempore*.

33. No Committee of the Council shall consist of less than three members, nor more than seven, and no report shall be received from any Committee unless agreed to in Committee actually assembled for the transaction of business.

34. No meeting of any Committee shall be called upon less than six hours' notice.

35. Members of the Council may attend any meetings of the Committees of which they are not members, but shall not exercise the privilege of voting; nor shall they address the Committee except by consent.

36. No Committee shall enter into any contract with, or authorize the purchase of any article from, any of its members.

37. The Chairman of the Finance Committee shall not audit or approve of any bill or account against the City, for any supplies or services, which shall not have been regularly ordered or authorized by the Council, or a Committee properly authorized.

38. No payment shall be made by the Treasurer (except salaries) on account of the City, unless first passed upon and reported by the Finance Committee to the Council, and sanctioned by the Council.

39. No motion for the expenditure of money shall be in order before the Council until the Finance Committee reports that there are funds on hand for that purpose, or arrangements made for the payment of the same.

40. In all votes of the City Council which express anything by way of command the form of expression shall be "Ordered," and whenever opinions, principles, facts, or purposes are expressed the form shall be "Resolved."

41. No standing Rule or Order of the Council shall be suspended, unless two-thirds of the members present shall consent thereto, nor shall any Rule or Order be repealed or amended, without a week's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

42. The Standing Committees of the Council shall be as follows :

- (1) On Finance and Accounts.—Seven members.
- (2) On Streets and Improvements.—Seven members.
- (3) On Water Works.—Seven members.
- (4) On Court of Revision.—Five members.
- (5) On Fire, Water and Light.—Five members.
- (6) On City Property.—Five members.
- (7) On Markets.—Five members.
- (8) On Licenses.—Five members.
- (9) On Schools.—Five members.
- (10) On Wharves and Harbours.—Seven members.
- (11) On Parks.—Five members.
- (12) On Printing.—Five members.
- (13) On House of Industry.—Four members.
- (14) The Observatory.—Three members.
- (15) The Board of Health.—Consisting of the Mayor and eight rate payers to be appointed by the Council.
- (16) On Railways and Improvements.—Seven members.
- (17) The Reception Committee.—Seven members.

DUTIES OF THE RECEPTION COMMITTEE.

43. The duties of the Reception Committee shall be as follows :

Besides such others as may hereafter be added by this Council, it shall be the duty of the Reception Committee to attend to all matters in connection with receptions and entertainments of a public character in the City, under the direction and authority of the Council, and as may be required by the Council, and in addition to report to the Council and to give effect to their reports adopted by the Council, and to propose By-laws connected with such receptions and entertainments, and to carry out such of said By-laws as the Council shall pass, and to audit all accounts connected with such receptions and entertainments, to report on all matters referred to them by the Council or the Mayor of the City, to adhere to and observe all resolutions of the Council and all By-laws of the City, and generally to obey

all instructions received by them from the Council, and generally, under the direction of the Council and with its authority, to call public attention to the City as a pleasant and healthy summer resort by advertisement and otherwise, and to expend carefully all sums voted them by the Council for receiving and entertaining the guests of the Council, and for the other purposes connected with their duties as aforesaid.

44. The members of the Council shall not leave their places on adjournment, until the Mayor or Presiding Alderman leaves the chair.

45. This By-law shall come in force and take effect on its passing.

No. 448.

A By-Law Respecting the Officers of the Corporation of the City of Kingston.

Passed, Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston as follows :—

Clerk.

1. There shall be a City Clerk.
2. The duties of such Clerk, in addition to those prescribed by law, or by any By-law or Resolution of the Council, now or hereafter to be passed shall be :
 - (a) To notify each member of the respective Committees appointed by the Council, so soon as the appointment has been made, of the time and place at which the meeting of the Committee will be held.
 - (b) To furnish the City Treasurer, and the Chairman of each of the Committees, with certified copies of all resolutions, enactments, and orders of the Council, relative to the matters over which such Committees may respectively have jurisdiction,

or in which he or they may be named, on the day next succeeding that upon which the action of the Council in respect thereof takes place.

(c) To communicate or convey to the Committees all petitions or other documents referred by the Council.

(d) To have control over all officers employed in his office, subject to such orders as he may from time to time receive from the Mayor or the Council.

(e) To cause a notice of each regular and special meeting of the Council, and of the Committees, to be served on each of the members thereof and upon the Mayor on the day of such meeting being held.

(f) To attend all meetings of the Council, and also of the Committees when required so to do by the Chairman or Acting Chairman thereof, and to record the minutes, orders, and reports of all such meetings in the books provided for the purpose.

(g) To have charge of the city seal, and to attach the same to any document connected with the business of this Corporation, on the order of the Council, or other proper authority, and to the By-laws passed by the Council, and to such other documents as the law requires.

(h) To perform such other duties as may be assigned to him by the Council.

(i) The said Clerk shall be Clerk of the Police Court of the City, and shall faithfully and punctually perform all duties of that office, keeping and regularly posting up and making all necessary entries in a suitable set of books, and shall on the first day of every month make a return in writing to the City Treasurer of all fines, forfeitures and costs received by him during the preceding month, and pay over the same to said Treasurer, as well as make a similar return of the fines and costs remaining uncollected for the preceding month, which returns the said Treasurer shall file in his office.

3. The said Clerk shall keep a register of all By-laws and documents to which he has affixed the city seal with dates of sealing,

4. The said Clerk shall occupy the office in the City Buildings assigned to him by this Council, and shall keep therein safely all public documents, books and papers, which come into his hands as Clerk, and his office hours shall be from 10 o'clock A.M. to 3 o'clock P.M., each lawful day.

5. When the Clerk ceases to hold office he shall deliver up to the Mayor, or acting Mayor, the city seal and all books, papers, deeds and documents in his office, possession, or control, as such Clerk, or belonging to this Corporation.

6. The remuneration of the said Clerk shall be as is, or may be from time to time, fixed by this Council.

7. The said Clerk shall, when necessary, employ and pay any assistance he may require out of the allowance made to him for that purpose, the person employed to be subject to the approval of the Mayor.

Treasurer.

8. There shall be a City Treasurer.

9. The person appointed to the office of Treasurer of the City of Kingston shall, before he enters upon or executes the duties of said office, and within twenty days after receiving notice of his appointment thereto, execute a bond to the Corporation of the said City, with two or more sufficient sureties, being free holders of the City, to be approved of by the City Council and deposited with the Clerk thereof for safe custody, the said Treasurer in the sum of four thousand dollars, and his sureties in the sum of eight thousand dollars together, with a condition to the said Bond annexed, in the words following, to wit :

“Whereas the above bounden (A B) has lately been appointed to the office of Treasurer of the said City by the City Council thereof.

“Now the condition of the preceding obligation is such that if the said (A B) shall and will, in all things whatsoever, which shall and may in anywise relate to his said office, observe, comply with, and adhere to, such laws, orders, and directions,

which in any wise belong or appertain to the said Corporation, as are now in force, or shall from time to time be devised, passed, or given by the said City Council, or by any Legislature, respecting the said office of Treasurer, or respecting the duties of Treasurer, or the method or form to be observed by the Treasurer, for conducting the business of the said office, and the more orderly stating and keeping of a just, true and exact account of the receipts and expenditures, and debts and credits, of the said Corporation of the said City, and shall and will, from time to time, and at all times during his (A B's) continuance in office, deal with, take care of, and safely keep all monies, promissory notes, bonds, debentures, securities, deeds, mortgages, leases, agreements, and all other documents, registers, and other things, coming into his hands, as such Treasurer, and shall at least once in every six months, and oftener if he shall be thereunto required by the said City Council, furnish to the said Council, true, just, and regular accounts of his receipts and expenditures, and also daily and regularly state the same in such proper books as shall be provided or directed for that purpose, and also shall and will, when he the said (A B) shall cease to hold the said office of Treasurer, or if the said (A B) shall happen to die during his continuance in office as aforesaid, then if his executors or administrators shall and will, within thirty days after his decease, to the said City Council, or to such person or persons as shall be appointed for the purpose by any resolution or order of the said City Council, render a just and account, fairly entered in, the books kept by the said Treasurer aforesaid, of all such receipts and expenditures, and shall and truly pay or deliver to the said corporation, or to such person or persons as shall be appointed for the purpose of receiving the same by the said City Council, all such sum or sums of money as shall be in his or their hands, or which he or they shall, upon such accounts, be in arrear or liable for, to the said Corporation, without any deduction or abatement whatsoever; also deliver, as aforesaid, all deeds, conveyances, leases, mortgages, bonds, obligations, assurances, and all other muniments, books, documents, papers, vouchers, accounts, goods, chattels, and effects belonging to the said corporation of the said City, and which at any time during the continuance in office of

the said (A B) shall have come to his hands or possession, or or to the said office of Treasurer, and also the seal of the said City, then the preceding obligation to be void, but if default shall be made in the performance of any of the said matters and things in this condition contained, then the said obligation to remain in full force, effect and virtue."

10. It shall be the duty of the Treasurer to state all accounts (in proper books) between the said Corporation of the said City and every person, debtor, or creditor, of the said Corporation, and to examine, and audit and liquidate, the claims of all persons against the said Corporation, in cases where provision shall have been therefor made by any By-law or Resolution of the said City Council, and in all cases where no such provision shall have been made, or where he cannot liquidate any claim without further provisions, he shall examine and report the same, and the facts concerning it to the City Council, with his opinion thereon, and also to examine, adjust, and settle the accounts of all persons indebted to the said Corporation, and to pay all monies directed to be paid by any By-law or Resolution of the Council to the persons entitled thereto, and to exhibit to the City Council, as soon as the same can be conveniently done, after his appointment, and on the third Monday in January and July in each year, or oftener if thereunto requested, a complete statement of the funds and accounts of the said Corporation, and of the annual revenue thereof, and of the amount of the salaries of their officers, and other contingent expenses and appropriations paid, and of all monies received into the Treasury since the exhibition of the last preceding statement, and from time to time to report any improvements that may be made in the premises, and the most proper and advisable mode of raising such monies as the said Corporation may from time have occasion for, and to pay out no monies whatsoever except by the direction of the City Council, to be certified to him by the Clerk thereof—provided that he may pay interest on debentures and loans and also debentures and loans and all fixed salaries due—and also, punctually to do and perform all other duties imposed upon him, the said Treasurer, by any City By-law or Resolution of the City Council, or any statute, passed, or to be passed,

11. All deeds, conveyances, leases, mortgages, documents, bonds, obligations, notes, agreements, releases, securities, and assurances for money, given, or belonging, to the said Corporation, and all other instruments of writing, relating to any real or personal estate of the said Corporation, shall be deposited and kept in the office of the Treasurer, and all monies which shall from time to time become due to the said Corporation on the said leases, mortgages, bonds, obligations and assurances for money, shall be paid to the Treasurer, and with all monies received by him as such Treasurer from taxes, or other sources, shall be by him deposited in one of the banks of the said City appointed by the City Council.

12. The Treasurer shall, and he is hereby required to, liquidate from time to time the debts owing by the said Corporation out of the funds of the Corporation as the Council order the same to be done, and annex a just and true account thereof to his aforesaid statement of funds and revenue, distinguishing in such account to whom such debts are owing, whether payable with or without interest, when contracted, on what account, and when payable, and what security, if any, may have been given for the payment thereof.

13. It shall be the duty of the Treasurer to call on all persons who may be indebted to the said Corporation for the payment of the principal and interest of their said debts, as and whenever the same shall become due, and also to call on all persons entrusted with, or who have received any monies belonging to the said Corporation, and who shall not have accounted for the same, to collect and settle their accounts, and to report from time to time the name of all persons in default to the City Council, designating in such report the sum or sums due from each defaulter and the particular circumstances relating thereto.

14. The Treasurer shall attend the Auditors during the annual or other audit of the accounts that may be ordered, and shall furnish the Auditors with all books, vouchers, papers, documents, and other information required by them during their audit.

15. The Treasurer in conducting the business of his office shall observe the following rules :

(1.) He shall open accounts in the ledger with every person, debtor or creditor, to the said Corporation, by speciality, act of the City Council, or otherwise.

(2.) He shall post the journal of expenditure and receipts at least once in every month of the year.

(3.) He shall post all interest which shall become due, by specialties or otherwise, on debts owing by, or due to, the said Corporation, whenever the interest thereon may become due, and also all payments on the same whenever they shall be made.

(4.) Where payments are made by the said Treasurer by virtue of any By-law or Resolution of this Council, the certificate of the Clerk, together with the receipt specifying the sum so paid, shall be considered to be his voucher. But that this provision shall not affect the condition in Section Nine.

(5.) He shall deposit in a city bank as aforesaid all monies which shall come into his hands belonging to the Corporation, to its credit in its account to be kept in said bank in its name, when such monies amount to One Hundred dollars or upwards.

16. The Treasurer shall attend the stated meetings of the City Council if required, and any other of its meetings he may be notified to attend, and his office shall be kept open from 10 o'clock in the forenoon to 3 o'clock in the afternoon every day in the week, Sundays and holidays excepted.

17. The Treasurer shall also, at all times, well, faithfully and punctually do and perform all other acts and duties imposed upon him, or which may be imposed upon him, by any act of the Legislature, or by any By-law or Resolution of this Council, passed or to be passed, and to conform to all directions of the Council, and its Finance Committee, consistent with law and the By-laws of the City, and also furnish any statements or information which the Council or any Committee of the Council may at any time require of him.

18. The Treasurer shall keep a register of all documents to which he has affixed the city seal, with dates, and also of all other documents received by him, and shall take and keep a receipt for any such document as may be borrowed from him.

19. The Treasurer shall hold office during the pleasure of the Council.

20. The remuneration of the Treasurer shall be as is, or may be from time to time, fixed by this Council.

21. The Treasurer shall, when necessary, employ and pay for any clerical assistance he may require out of the allowance made to him for that purpose, the person employed to be subject to the approval of the Mayor.

Solicitor.

22. There shall be a City Solicitor, who shall hold office during pleasure of this Council.

23. His duties shall be those usually performed by a Solicitor for a client.

24. He shall advise all members, committees, and officers of this Council who may consult him as to the affairs of the Municipality.

25. He shall advise the Board of Commissioners of Police.

26. His office shall be in the City Buildings.

27. His office hours shall be from 10 o'clock a.m. to 4 o'clock p.m., with the interval of one hour from 12 o'clock noon to 1 o'clock p.m.

28. He shall attend Council and Committee meetings when required to do so.

29. When he ceases to hold office he shall deliver up to the Mayor or Acting Mayor all books, papers, deeds and documents in his possession or control as such Solicitor.

30. The remuneration of the City Solicitor, over and above the costs recovered from parties litigating with this Corporation, shall be as is, or may from time to time, be fixed by this Council.

Engineer.

31. There shall be a City Engineer who shall hold office during the pleasure of this Council.
32. His office shall be in the City Buildings and his hours of duty shall be, in summer, from 8 o'clock A.M. to 6 o'clock P.M., and in winter from 8 o'clock A.M. to 5 o'clock P.M. on each lawful day, excepting one hour between 12 o'clock noon and 1 o'clock P.M.
33. He shall be in his office in the City Buildings from 11 o'clock A.M. till 12 o'clock noon each lawful day.
34. He shall perform all duties appropriate to his office, such as hitherto have been performed by such officer, and observe and obey all By-laws, Resolutions and Orders of this Council, or of the Committee of this Council on Streets, Water Works, Parks and City Property, passed or to be passed, and also all Orders of the Chairmen of such Committees and Chairmen of Wards casting any duty upon him.
35. He shall especially see that the provisions of the By-law relating to streets are strictly observed by all persons and have offenders prosecuted.
36. He shall promptly examine and report upon any disrepair of the streets, sidewalks and crossings, and shall repair any defect in any sidewalk or crossing as soon as the same shall come to his knowledge.
37. He shall carefully prepare all estimates, plans and specifications for work and supplies required, and keep duplicates thereof on file in his office.
38. When he ceases to hold office he shall deliver up to the Mayor, or Acting Mayor, all books, papers, plans, maps, documents and instruments in his office, possession or control as such Engineer, or belonging to this Corporation.
39. He shall superintend all work being done whether by contract, or otherwise, and see that it is properly done, and proper materials used.

40. He shall keep the time of the artisans and labourers in a book, and make fortnightly returns thereof, with the amount of pay each is entitled to, to the City Treasurer, and file duplicates of such returns in his office, and he shall see that no contractor is overpaid at any time and that the terms of the contract have been complied with before he certifies for payment.

41. He shall prevent all excavation in, or disturbance of, the streets and sidewalks for any purpose, and prevent the entry of any public sewer or drain, without proper authority and the provisions of the By-law applicable to the case having been first complied with.

42. He shall measure all broken stone required for the streets, and see that it is of proper size, and keep an account of the quantity used in each year and on hand.

43. He shall see that all ward and other appropriations for street, sidewalk, and crossing repairs, or the making of streets, sidewalks and crossings, are economically expended and not exceeded.

44. He shall attend meetings of the Council when required, and all meetings of the Committee on Streets, and make all statements, reports, and returns required.

45. The remuneration of the City Engineer shall be as is, or may from time to time, be fixed by this Council.

Assessor.

46. There shall be one Assessor appointed for the Municipality of the City of Kingston, and he shall hold office during the pleasure of this Council.

47. The Assessor of this Municipality, until otherwise provided, shall also act as City Commissioner therefor, but so as not to interfere with the due and proper discharge of his duties as Assessor.

48. Such Assessor shall use and occupy a separate office in the City Buildings, and when he is not out assessing his office

hours each lawful day shall be from 10 o'clock A.M., to 4 o'clock P.M., excepting one hour between 12 o'clock noon and 1 o'clock P.M. each day.

49. In addition to the Assessment Roll such Assessor shall keep, and enter up carefully and punctually and correct from time to time, a set of office books, in the nature of a registry and indexes, of all information, documents, descriptions of property, plans, and data, acquired or received by him in connection with his office of Assessor, and duly and promptly, each day, enter therein said documents, descriptions, plans and data, and he shall also keep and carefully enter up and correct from time to time such other books, registers, indexes, documents, descriptions, data and plans, in connection with his said office, as he may be directed to obtain and keep from time to time by the Mayor, or the Court of Revision of this Council, or this Council, and he shall also make all such entries in said books, registers and indexes, and keep them in such a form and manner as the Mayor, or said Court of Revision, or this Council may, from time to time direct, and he shall also obey, observe and keep such rules and regulations, respecting such books, registers, indexes, information, documents, data, and plans, and the keeping thereof, and entries therein, as may be, from time to time, adopted by the said Court of Revision, or this Council, and brought to his notice, and all such books, registers, indexes, documents, plans and data, shall belong to this Corporation, and shall remain permanently in the Assessor's office, and shall be correctly and legibly kept and docketed and indexed.

50. Such Assessor shall, within one week of his appointment, with two sufficient sureties, enter into a bond to this Corporation in the sum of One Thousand dollars, such Assessor in Five Hundred dollars, and each of his sureties in Two Hundred and Fifty dollars, for the due performance of his duties, as such Assessor, and of indemnity in case of default by him therein, during the time he shall hold the office of Assessor.

51. Such Assessor shall at all times exercise due diligence, application and attention, in obtaining and recording all necessary and useful information, to enable him to make a correct assess-

ment, including the changes in the ownerships of properties, with names, quantity and prices, and also the improvements made thereon from time to time, and other like information, and he shall obey, observe, and keep the rules and regulations aforesaid, and all such information shall be treated by such Assessor as confidential, and shall not be communicated to any one, except to the Mayor and Court of Revision, and to any city official, to whom the Mayor, or the said Court, may direct it to be communicated, by all of whom it shall be treated as confidential: Provided that any member of this Council may examine the books, documents, and plans in the Assessor's office.

52. Such Assessor, when he ceases to be Assessor, shall deliver up to the Mayor, or Acting Mayor, all the said books, registers, indexes, papers, documents, data, information and plans, in his possession, or office, as such Assessor.

53. The salary of the Assessor and Commissioner for the discharge of his duties in both capacities, shall be as is, or may from time to time, fixed by this Council.

54. Such Assessor shall also duly perform all other duties as prescribed by law to be performed by him.

Commissioner.

55. There shall be appointed a competent person, to be called The City Commissioner for the City of Kingston, who shall hold such office during the pleasure of the Council.

56. The said City Commissioner shall be provided with an office in the City Buildings, and shall keep a correct record of all proceedings taken, and accounts and business done by him in connection with the duties of his said office, which shall belong to and remain in the City Commissioner's office.

57. When the said City Commissioner ceases to be City Commissioner he shall deliver up to the Mayor, or Acting Mayor, all books, diaries, papers and documents, belonging to the office of the City Commissioner, or in his office or possession as City Commissioner,

58. It shall be the duty of the said City Commissioner to be in his office at stated portions of each day, that is to say: from ten o'clock A.M. to twelve o'clock noon, and from three o'clock P.M. to four o'clock P.M., for the purpose of receiving complaints against any breach of any of the By-laws in this By-law mentioned, and at such times it shall be the right of every citizen to attend upon the said City Commissioner, and lodge complaints in writing of any breach of any of the said By-laws. Provided that the regular office hours of the said City Commissioner shall be from ten o'clock A.M. to four o'clock P.M. each lawful day, with the exception of the hour between twelve o'clock noon and one o'clock P.M., and during said hours he shall be in his office, or attending to business as said City Commissioner outside in the City.

59. The said City Commissioner shall, upon receiving any complaints under the preceding section, proceed with as little delay as possible to visit and personally inspect the premises, or locality, complained of, and investigate the cause of complaint, and if any infraction of any of the By-laws, mentioned in this By-law has taken place, he shall then and there direct immediate compliance with its provisions, and in any case of non-compliance therewith, he shall forthwith, and without further notice, or with such notice as may be provided in any By-law, prosecute the offender or offenders.

60. It shall be the duty of such officer to be conversant with the provisions of the By-laws, dealing with the matters hereinafter mentioned:—

- (a) Relating to Intelligence Offices.
- (b) Relating to Auctioneers.
- (c) Relating to Billiard and Bagatelle Tables, Bowling Alleys, and Tennis and Racket Courts, and the licensing of the same.
- (d) Relating to Cruelty to Animals.
- (e) Relating to Dogs.
- (f) Relating to the Prevention and Suppression of Fires.
- (g) Relating to Drunkards, Mendicants and Street Beggars.
- (h) Relating to Line Fences, Fences, and Fence Viewers.
- (i) Relating to Hawkers and Petty Chapmen.
- (j) Relating to the Suppression and Prevention of Nuisances.

- (k) Relating to the Numbering of Houses.
- (m) Relating to Pounds and the Impounding of Cattle.
- (n) Relating to the Keeping of Petroleum, Coal Oil, Benzine, Benzole, Naptha, Paraffine Oil, Gasoleum and other compounds, and derivatives and other explosives.
- (o) Relating to a Powder Magazine.
- (p) Relating to Public Morals.
- (q) Relating to Streets.
- (r) Relating to Sewers and Drains, and the rent for using the same.
- (s) Relating to the Removal of Snow, Ice and Dirt from the roofs of houses and from the sidewalks, streets and alleys.
- (t) Relating to Theatres, Circuses and Shows, and the licensing of the same.
- (u) Relating to Tavern and Shop Licenses.
- (v) Relating to Victualling Houses and other houses of refreshment, and the licensing of the same.
- (w) Relating to Vaccinating Offices.
- (x) Relating to the Erection of Wooden Buildings and the Fire Limits, and also of all By-laws of this Corporation, of a like nature to the foregoing which hereafter may be passed by this Council.

61. The said City Commissioner shall be Inspector of Buildings, under the provisions of the By-law relating to Buildings, and the prevention and suppression of fires.

62. The said City Commissioner shall have control of the Pounds, Pound Keepers, and Pound, or Cattle Bailiffs, and it shall be the duty of the said City Commissioner to advise and instruct the said officials in their respective duties.

63. It shall be the duty of the City Commissioner to prosecute, for all and every violation, or infraction, of any of the provisions of the By-laws heretofore mentioned and enumerated, or of any amendment thereof, or of any By-law of a like nature or of any By-law hereafter passed, and to be vigilant and active in the discharge of his duty in this respect.

64. All expenses necessarily incurred by the said City Commissioner, and not otherwise paid, shall be paid out of the funds of the Municipality, saving any recourse there may be against any person or persons therefor.

65. The said City Commissioner shall, on the first Monday of each month, make a monthly return to the Finance Committee, of all expenses incurred in carrying out the duties of his office.

66. Until otherwise provided, the City Assessor shall be also City Commissioner, and shall do the duties of both offices for the Assessor's salary, and without any increase of such salary, and that this shall be a condition of his appointment as Assessor.

67. The Assessor's office in the City Buildings shall be the City Commissioner's office while the Assessor and Commissioner is the same person.

68. The said City Commissioner shall obey the orders of the City Council and of the Mayor, and shall attend the Meetings of the Council and Committees when required.

69. While the City Commissioner is engaged making the City Assessment, ERNEST ROBERTS, of the City Engineer's Office, shall be acting City Commissioner, without salary, and shall discharge all the duties of the City Commissioner.

70. It shall be the duty of the said City Commissioner to examine carefully, whenever he may be directed by the Mayor, the Police Magistrate, or any Alderman of the said City, all chimneys, fire-places, hearths, ovens, boilers, furnaces, stoves, steam pipes, stove pipes, funnels, flues, and all places where fires are made or kept, or where ashes are kept, and report thereon to the Mayor, the Police Magistrate, or any presiding Justice of the Peace, for the said City of Kingston, and under the direction of the said Mayor, Police Magistrate, or Justice, to notify the owner, occupier, or party using the building where such chimney, fireplace, hearth, oven, boiler, furnace, stove, steam pipes, funnels, or other place for keeping, or making fire, or for keeping ashes, may be, if the same be dangerous, to discontinue the use of, or to remove the same, and also to examine any buildings, or premises, where lumber, gunpowder, coal oil, or other inflammable or explosive substances are kept, or where any trade dangerous in causing or promoting fire is carried on, and to enforce the provisions of By-laws of the City relating thereto as well as those of any By-law that may hereinafter be passed for the prevention of fires, or respecting the same.

71. Whenever any building in the said City is, by reason of age or accident, in danger of falling, or being set on or taking fire, and endangers the surrounding property, or the lives of the citizens, it shall be the duty of the said City Commissioner to notify the owner, agent or other person having charge of such building, to put the same at once in a safe condition, and to guard against such fire, or dangerous accident, and such owner, agent, or person shall forthwith obey such notice, and every person who, for twenty-four hours after the receipt of such notice, neglects to obey the same shall be subject to the penalties provided for a breach of this By-law, and every subsequent default of twenty-four hours shall be deemed a separate offence.

72. It shall be the duty of the said City Commissioner to oversee the erection of all buildings hereafter to be built, enlarged, altered, or re-erected within the City of Kingston, to see that the provisions of the By-law, applicable to the case, are duly observed.

Collector.

73. There shall be a Collector.

74. The Collector for the Municipality of the City of Kingston shall hold office during the pleasure of this Council.

75. Such Collector shall, within one week of his appointment and before entering upon the duties of his office, with two good and sufficient sureties, execute a bond to the Corporation of the said City, for the sum of eight thousand dollars, himself in the sum of four thousand dollars, and his two sureties in the sum of two thousand dollars each, with the following recital and condition thereto, or to the like effect, that is to say :—

“Whereas the above (A B) has been recently appointed Collector of the Municipality of the City of Kingston, to collect the taxes, rates and assessments of the said City, during the pleasure of the City Council of the said City, and hath been required and hath agreed, in consideration of such appointment, to furnish good and sufficient sureties to the said Corporation, for the due and faithful performance of his duties as such Col-

lector, and for the due and faithful payment to the City Treasurer of the City of Kingston (or other person duly appointed to receive the same) of all moneys coming into his hands as such Collector, and whereas the said (C D) and (E F) have agreed to become sureties for the said (A B) in this behalf ;

“ Now the condition of the above obligation is such, that if the said (A B) do and shall, well and truly, without delay, or default, collect the said taxes, rates and assessments, and pay over and account for the same to the City Treasurer, or person acting as such for the time being, or appointed by the said Corporation to receive the same, and at least daily, so long as he shall hold the said office of Collector, all taxes, rates and moneys, coming into his hands, or which shall, or may be collected, or received by him as such Collector as aforesaid, and also make and deliver to the said City Treasurer, daily, a statutory declaration, shewing the particulars, names, and amounts of the collections and receipts, of said taxes, rates, and assessments of each preceding day, or that there were none such, as the case may be, and also return the Rolls in manner and within the time limited by law, or as prescribed and required in, or as may be prescribed and required by any Act of Parliament, or in, or under any By-law or resolution of the Council of the said Corporation, passed, or to be passed by the said Council or other law, in anywise relating to his the said (A B's) duties, as such Collector, as aforesaid, or extending the time for the return of the said Rolls, and if the said (A B) do and shall, also, in all and every respect, faithfully and diligently, and when the same ought to be done and performed, do and perform, all and every act, matter, and thing, which, as such Collector, it is, or may be, his duty by law to perform, and if the said (A B) do indemnify and save harmless the said Corporation at all times, against and from, all damages, losses, and costs, caused by, or arising from any act or omission of his, as such Collector, or in connection with his said office, then the above obligation to be void, otherwise to be and remain in full force, effect and virtue.”

76. Such Collector shall, in all things, diligently and faithfully observe and keep the said condition, and duly perform all the duties, acts, matters, and things therein mentioned, as to be

performed by him, and also all other duties, acts, matters, and things, lawfully laid upon him to perform at any time, under or by any Act of the Legislature or By-law of this Corporation.

77. Such Collector shall occupy the office in the City Buildings assigned to him by this Council, and his office hours each lawful day shall be from 9 o'clock A.M. to 4 o'clock P.M., excepting one hour between 1 and 2 o'clock P.M. each day.

78. If there be more than one Collector appointed the foregoing provisions shall apply to each Collector.

79. The remuneration of the Collector, or Collectors, and the manner and time of payment shall be as is, or may be, from time to time, by resolution, or By-law, fixed by this Council.

High Bailiff.

80. There shall be a High Bailiff.

81. The offices of High Bailiff and City Commissioner shall be held by the same person, and the City Commissioner of the City for the time being shall be High Bailiff of the City so long as he shall hold the office of City Commissioner and no longer.

82. No salary or other emolument shall be attached to the said office of High Bailiff.

Water Works Department.

83. There shall be a Chief Engineer of the Water Works Department, who shall be the City Engineer for the time being, and whose salary as City Engineer shall cover his services as Engineer of the Water Works also.

84. There shall be a Superintendent of the Water Works.

85. The duties of the said Engineer and Superintendent of the Water Works shall be those usually performed by such officers, and also such as may be imposed upon them respectively by any By-law, resolution, or order of this Council, or by any duly authorized report, resolution, or order of the Council's Committee on the Water Works.

86. The salary of the said Superintendent shall be as is, or may be from time to time fixed by this Council.

Present Officers and their Salaries Confirmed.

87. The persons holding the offices of Assessor, Collector, City Commissioner, High Bailiff, City Clerk, City Treasurer, Engineer, City Solicitor, Superintendent of the Water Works, Clerk of the Public Market and Harbour Master, and the Officers of the Fire Department and the Caretaker of the Parks, respectively, at the time this By-law comes into force, are hereby confirmed in their said respective offices with their present salaries and emoluments.

88. The salaries of the officers of this Corporation shall be paid monthly.

89. This By-law shall come in force and take effect on its passing.

No. 449.

A By-Law Respecting Auctioneers.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Every auctioneer or other person selling, or putting up for sale, goods, wares, merchandise, or effects, by public auction within the City of Kingston, shall, before it shall be lawful for him so to do, first take out and obtain from the City Treasurer of the said City, who is hereby authorized to issue the same, a license to act as such auctioneer, and for which license there shall be paid before the issue thereof, by every such person to the said City Treasurer, the sum of \$40.00, and such license shall not be transferable without leave of this Council, and no such license shall be issued to more than one person, or contain the name of more than one person, except as hereinafter provided,

and no person or clerk, agent, or employee, except as hereinafter provided, shall be allowed to sell by public auction as aforesaid, for, or in the place or stead of any auctioneer, under or by virtue of such auctioneer's license, and any person, clerk, agent, or employee so doing shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

2. It shall be lawful for licensed auctioneers, subject to the right of the public, on Tuesdays, Thursdays, and Saturdays, between the hours of nine o'clock in the forenoon and one o'clock in the afternoon, to sell by public auction on the public street or place in front of their own shops, or auction rooms, subject to the By-law relating to the public markets where applicable, provided always that the adjoining sidewalk or pavement is not allowed by them to be at any time obstructed by goods, or persons (including themselves), and is kept free and clear for the passing and re-passing of the public, and that no more than ten feet of the public street, or place outward from the sidewalk, or pavement, and directly in front of their shops or auction rooms, be occupied by the goods or wares they are selling, or which are exposed by them, and not more than three feet farther out by the persons attending the sales, such occupation to be allowed only on the said days named, between the hours aforesaid, and every such auctioneer, before availing himself of the provisions of this By-law, shall, with two sufficient sureties, enter into a bond in a penalty of \$400.00 for the observance of the provisions of this By-law, and of indemnity to this Corporation for any loss or damages arising from or in consequence of the exercise of the privileges hereby granted, or of the neglect or default of the said auctioneer in connection therewith or with said provisions.

3. It shall also be lawful for licensed auctioneers, subject as aforesaid, after twelve o'clock, noon, on the before named days, to sell, by public auction, farm produce, carriages and other wheeled vehicles, sleighs, cutters, trees, shrubs, plants, and flowers in pots, and agricultural implements, in such places, in that part of the Market Square of market number one, as the Clerk of the Public Markets shall point out; provided always that the crossings and sidewalks or pavements shall be at all times kept free from obstructions by goods, articles and persons,

as aforesaid, and clear for the passing and re-passing of the public ; and provided also that the market fees on the articles offered for sale shall in all cases be first paid by such auctioneer.

4. Except as provided in the two preceding sections no auctioneer shall occupy or obstruct any public street, walk, pavement, or place, by goods, wares, or articles, or by drawing together a crowd or number of persons for or to attend a sale or attempted sale.

5. No auctioneer shall, except as hereinbefore provided, sell by public auction any goods, wares, or other articles or things, in any public street or place.

6. It shall be the duty of such auctioneers, without notice or request, immediately to remove from the public streets or places, at two o'clock in the afternoon of the aforesaid days, such goods, articles or wares as they may have placed thereon, and also to pay the market fees on said goods, articles or wares when liable thereto, if not already paid, and any such auctioneer neglecting to do either shall be deemed to have committed a breach of this By-law, and shall be dealt with accordingly.

7. Every licensed auctioneer shall exhibit, hung up in a conspicuous place in his auction room, his name, business and license, and shall, if requested by the City Commissioner, Chief Constable or a Constable, on the occasion of a sale, produce his license, and in case there is no license, or it is not produced, the sale may be stopped until a license is produced.

8. Licenses may be granted to firms (naming each member), doing business in the same premises, for a license fee of \$40.00, to be increased by a sum of \$10.00 for each member of the firm beyond one, and such license shall expire at the same time as other licenses, issued under By-laws of the City, and in case of the illness or temporary absence of any licensed auctioneer his clerk or any person (provided such clerk or person has been a resident of the City for one month continuously immediately preceding the occasion) may sell by public auction in his behalf under his license during such illness or absence.

9. This By-law shall come in force and take effect on its passing.

No. 480.

**A By-Law Respecting Bagatelle Tables, Billiard and Pool Tables,
Ball Alleys, Bowling Alleys, and Racket or Tennis
Courts, and the Licensing of the Same.**

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. That from and after the passing of this By-law no Bagatelle Tables, Billiard or Pool Tables, Ball Alleys, Bowling Alleys, Racket or Tennis Courts, shall be kept or used in the said City, unless licensed by the City Council as hereinafter provided.

2. Every person who shall within the City of Kingston, keep or have in his possession, or on his premises, any bagatelle table, or tables for hire, or gain, directly or indirectly, or who shall keep or have any such bagatelle table or tables in any house or place of public entertainment, or house or place of public resort, whether such bagatelle table or tables be used or not, before it shall be lawful for him so to do, shall first take out and obtain from the City Treasurer of said City, who is hereby authorized to issue the same, upon payment of the sum hereinafter mentioned, of license money for each table, a license to keep or have such bagatelle table, or tables, as aforesaid, and for every such license there shall be first paid by such person to the said Treasurer the sum of \$10.00, and for each additional bagatelle table kept on the same premises the sum of \$5.00.

3. Every person who shall within the City of Kingston keep or have in his possession, or on his premises, any billiard or pool table or tables, for hire or gain, directly or indirectly, or who shall keep or have any such billiard or pool table or tables, in any house or place of public entertainment, or house or place of public resort, whether such billiard or pool table or tables be used or not, before it shall be lawful for him to do so, shall first take out and obtain from the City Treasurer of the said City, who is hereby authorized to issue the same, upon payment of the sum hereinafter mentioned, of license money for each table, a license to

keep or have such billiard or pool table or tables as aforesaid, and for every such license there shall be first paid by such person, to the said Treasurer, the sum of \$30.00, and for each additional billiard or pool table kept on the same premises, the sum of \$10.00.

4. Every person setting up or keeping for hire or profit any ball alley, bowling alley, racket or tennis court, within the City of Kingston, shall first take out and obtain a license from the City Treasurer, who is hereby authorized to issue the same, upon payment of the sum hereinafter required to be paid for such license, and the person obtaining the license shall pay to the City Treasurer, at the time of taking out the same, for a license for a bowling alley the sum of \$30, and for a license for a ball alley, racket court or tennis court, each the sum of \$10.

5. No person shall allow play in a bowling alley or at a billiard or pool table, or bagatelle table, later than twelve o'clock at night, except on Saturday night, and then not later than half-past eleven o'clock at night, and any person so offending shall be subject on conviction to the penalty provided as for a breach of this By-law.

6. For each day upon which any bagatelle table, billiard or pool table, ball alley, bowling alley, or racket or tennis court, shall be had and kept for hire, or gain, or profit as aforesaid, whether play has taken place or not, without the proper license therefor, as required by this By-law, a distinct and separate offence in respect of each such table, alley, and court, shall be deemed to have been committed against this By-law, and the person guilty thereof shall be dealt with accordingly.

7. This By-law shall come in force and take effect on its passing.

No. 451.

A By-Law Respecting Hawkers and Petty Chapmen.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Every hawker or petty chapman, and every other person carrying on a petty trade who goes from place to place, or to other men's houses, on foot, or with any animal, bearing or drawing any goods, wares or merchandise for sale, or in or with any boat, vessel or other craft, or otherwise, within this City, carrying goods, wares or merchandise for sale, before it shall be lawful for him to exercise any such calling as aforesaid, within this City, shall take out and obtain from the City Treasurer of the said City, who is hereby authorized to issue the same, a license to exercise such calling, and for which license there shall be first paid by such person to the said Treasurer, the several and respective sums hereinafter mentioned, as the case may require, that is to say :

By every such person travelling on foot, the sum of \$20.

By every such person travelling with any animal, bearing or drawing any goods, wares or merchandise for sale, the sum of \$30.

By every such person trading as aforesaid, in or with any boat, vessel or other craft, not decked, carrying goods, wares, or merchandise for sale, the sum of \$30 for each boat or vessel.

By every such person trading as aforesaid, in or with a decked vessel, carrying goods, wares or merchandise for sale, the sum of \$40 for each vessel. And a similar sum by every such person employed or being on any steamer or other decked vessel carrying goods, wares or merchandise for sale, in such steamer or decked vessel.

2. It shall and may be lawful for every policeman, constable or peace officer, to seize and detain any such hawker or petty chapman, or other trading person, as aforesaid, who shall be found trading without a license contrary to this By-law, or who, being found trading, shall refuse or neglect to produce and shew a license according to this By-law after being required to do so, in order to his being taken, and they are hereby required to take, without delay, every such person so seized and detained before the Police Magistrate, or any magistrate of the City having jurisdiction, to be dealt with as for a breach of this By-law.

3. No person exercising any of such callings or trades as afore-

said, shall neglect or refuse to produce his license when required so to do by the Mayor or any Alderman, or Justice of the Peace having jurisdiction, or by any policeman, constable or peace officer, and if any such person so does, such person shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

4. Any person or persons who shall sell, or offer for sale by sample or otherwise going from shop to shop, or from house to house, in the city, goods then in the city or in transit to the city, and also any person who shall, upon arrival in the city, put up in any yard, shed, or other place, his goods, wares or merchandise, and subsequently offer the same for sale by sample or otherwise, going from shop to shop, or house to house, in the city, for the purpose of selling the same, shall be deemed and treated in all respects as coming under the provisions of this By-law respecting hawkers and petty chapman, and other persons carrying on petty trades, as aforesaid, and shall require a license such as is required by this By-law to be taken out by a hawker, petty chapman or person carrying on a petty trade, as aforesaid.

5. Provided always, that no such license shall be required for hawking, peddling, or selling from any vehicles or other conveyances, any goods, wares or merchandise to any retail dealer, or for hawking or peddling any goods, wares or merchandise the growth, produce or manufacture of this Province, not being liquors within the meaning of the law relating to taverns or tavern licenses, if the same are being hawked or peddled by the manufacturer or producer of such goods, wares or merchandise, or by his *bona fide* servants or employees having written authority in that behalf, and any such servant or employee shall produce and exhibit his written authority when required to do so by any municipal or peace officer, and the neglect or refusal to produce and exhibit such authority, or the non-existence of such authority, shall be held to be a breach of this By-law, and shall be dealt with accordingly, but nothing herein contained shall excuse or exempt any person from the payment of any market fee which may be lawfully imposed or collected.

6. It shall not be lawful for any person to offer for sale or carry or hawk about in the streets, or other public places, in any

basket, or other receptacle, or thing, any fruit, or other article borne or conveyed by hand, subject to the proviso in the last preceding section of this By-law, except licensed hawkers or petty chapmen or other licensed petty tradesmen as aforesaid. Provided always that stands, for the sale of fruit by adult persons, may be placed in gateways, areas, and other recesses off the public street, under the direction of the High Bailiff of the City.

7. And it is hereby further enacted by the said Council that every person who being an agent for a person or persons not resident within the County of Frontenac, who sells or offers for sale tea, dry goods or jewellery, in the City of Kingston, as such agent, hawking the same, or who carries and exposes, as such agent, samples or patterns of any such goods in the said City, to be afterwards delivered within the said City to any person not being a wholesale or retail dealer in such goods, wares, or merchandise, shall, before it shall be lawful for him to exercise such a calling or business in the said City, take out and obtain from the City Treasurer, of the said City, who is hereby authorized to issue the same on receiving the license fee therefor herein fixed, a license as a hawker, in and for the said City, for which license there shall be paid by such agent to the said Treasurer the sum of \$100.00 before the issue of the same, and such license shall permit such agent to exercise the said calling or business of agent as aforesaid, and also the business of an ordinary hawker or petty chapman within the said City, and no person shall exercise the calling or business of such an agent as aforesaid in the said City, without having first taken out and obtained and paid the license fee for the license required under this By-law, and any person so doing shall be deemed to be guilty of a breach of this By-law and shall be dealt with accordingly.

8. No such agent as aforesaid shall refuse or neglect to produce his or her license when required to produce it by the City Commissioner, the Chief of Police, or a Police Constable, and if any such agent do so, or if any such agent has neglected to take out a license, such agent shall be forbidden to pursue the calling or business of agent as aforesaid in the City by said Commissioner, Chief of Police, or Police Constable, and such agent shall also be deemed to be guilty of a breach of this By-

law, and shall immediately be prosecuted therefor by the said Commissioner, Chief of Police, or Police Constable, and each day any such agent shall exercise or pursue his said calling in the City without a license shall be deemed a separate offence.

9. The sections of this By-law preceding section seven shall not apply to such an agent as is mentioned in that section, and the subsequent sections of this By-law.

10. This By-law shall come in force and take effect on its passing.

No. 452.

A By-Law Respecting Junk Stores or Shops.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Every person opening or keeping a Junk Store or Shop in the City, shall first obtain from the City Treasurer a license, and pay him the license fee hereinafter fixed for such license, and the City Treasurer is hereby authorized to issue such license upon receiving the license fee.

2. The said license fee shall be \$10.00.

3. The said license shall be issued upon, and shall have the following conditions endorsed on the back of the same, that is to say:

(a) The licensee shall keep a suitable book in which he shall enter, as they are made, all the purchases made by him, or by any one in his behalf, describing the articles purchased and stating the price paid, and also the name and residence of seller, giving the number and street, which particulars he shall obtain from the seller, and also the date of the purchase.

(b) The licensee, or any one in his behalf, shall not sell any article purchased by him, until four days (not including Sunday), after its purchase, during which time he shall keep such article exposed to public view in his store or shop in the front part of

the same, in a special place or compartment, and allow any person to examine the same without charge.

(c) The licensee shall not, nor shall any person in his behalf, purchase any article from any person who is under fifteen years of age.

(d) The licensee shall not, nor shall any one in his behalf, purchase any article which he thinks or has reason to think, has been stolen, and shall immediately inform the police of the attempt to sell such article to him.

(e) The licensee shall at all times, between seven o'clock A.M. and eight o'clock P.M., on any lawful day or days, permit the chief constable, or any detective or policeman, to search, without a search warrant, his house, store or shop, for stolen goods or articles, and to examine the book in condition (a) mentioned.

(f) Each licensee shall keep suspended in a public place in his shop or store, so as to be read by persons therein, a copy of the provisions of this By-law, such copy to be furnished on application by the City Treasurer.

(g) Upon the breach of any of the above conditions the said licensee shall be deemed guilty of a breach of this By-law, and liable to the penalty in such case provided.

(h) Upon the licensee being convicted of a third breach of the said conditions his license shall be forfeited, and a breach of any one of the said conditions shall be held to be a breach of the said conditions, within the meaning of this condition.

4. The High Bailiff or Chief Constable shall, without a warrant as aforesaid, visit or cause to be visited, on every alternate lawful day, each licensed junk store or shop, within the hours before mentioned, but nothing in this section contained shall prevent him visiting, or causing to be visited, such stores or shops at other times when he shall deem it necessary or proper to do so.

5. This By-law shall come in force and take effect on its passing.

No. 453.

A By-Law Respecting Roller Skating Rinks Established, Held and Kept for Hire or Profit.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :

1. From and after the passing of this By-law no person shall establish, hold and keep for hire or profit, any Roller Skating Rink in the City of Kingston, without having first obtained and having a license therefor, which license is to be issued by the City Treasurer of the said City on his receiving authority from this Council to issue the same, and on his receiving the license fee therefor from the person to whom the license has been granted, who shall pay for such license at the time of its issue to the said Treasurer the sum of \$30, Provided always that such license shall not authorize any Roller Skating Rink to be used for any exhibitions or shows unless the license fees mentioned in the By-law relating to theatres, shows, etc., and chargeable for such exhibitions and shows, have also been paid to the said Treasurer.

2. This By-law shall come in force and take effect on its passing.

No. 454.

A By-Law Respecting Theatres, Circuses, Shows, &c.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. It shall not be lawful for any person or persons whomsoever to show or exhibit in the said City any wax work, menageries, circus riding, or other such like shows usually exhibited by showmen, or to open, hold, or keep any theatre or other place for the purpose of exhibiting any dramatic, theatrical or

musical performance, entertainment or concert, regular, comic or burlesque, for hire or profit, or to have or keep any other exhibition or other place of amusement, of whatever kind or nature, for hire or profit, in the said City, without having first obtained and having a license therefor, to be issued by the City Treasurer of the said City on his receiving an authority in writing from the Mayor, or in his absence from the Chairman of the City Council Committee on Licenses, to grant the same, and the person to whom the said license shall be granted shall pay to the said Treasurer at the time of obtaining such license the sum due and chargeable therefor as fixed by this By-law.

2. No indecent or immoral matter or thing whatsoever shall be spoken, sung, represented, pictured, or displayed, in any such show, performance, entertainment or exhibition aforesaid, and in case any indecent or immoral matter or thing shall be spoken, sung, represented, pictured or displayed, in any such show, performance, entertainment, or exhibition aforesaid, or in case the person who shall or may obtain an order for any license from the Mayor or Chairman as aforesaid, shall make any misrepresentation or misstatement, to the said Mayor or Chairman as to the description of such show, performance, entertainment, or exhibition, or shall do, permit or suffer anything in connection with any such show, performance, entertainment, or exhibition, contrary to the true intent and meaning of this By-law, then and in either of the said cases the person so offending shall be brought before the Police Magistrate of the said City, or any Justice of the Peace having jurisdiction, and shall be dealt with as for a breach of this By-law, and if the matter complained of is not immediately corrected the license of such convicted person shall be forthwith revoked and annulled.

3. The Mayor, or in his absence the Chairman of the City Council committee on Licenses, is hereby empowered to grant an order for such licenses as aforesaid. Provided always that no such license shall be granted for a longer period than thirty days without the consent of the City Council, to which in such a case application shall be made.

4. All licenses to open or hold a theatre, exhibition, show, or other place of public amusement as aforesaid, shall contain a

condition that no gaming, raffing or lottery, shall be connected therewith, or shall be allowed by the person obtaining the license therefor, or in any way be permitted or held out as an inducement to visitors, and that the licensee shall observe the provisions of this By-law, and of the By-law respecting the Licenses General Clauses on pain of the penalty for a breach of this By-law.

5. Any person found aiding or assisting in any unlicensed performance or entertainment, or at any unlicensed theatre, exhibition, show or other place of public amusement as aforesaid, shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

6. For levying any penalty imposed for an infringement of this By-law, so far as it applies to exhibitions of waxworks, menageries, circus riding, and other such like shows usually exhibited by showmen, the goods and chattels belonging to or used in such exhibition, whether owned by such showman or not, may be distrained and sold.

7. No license granted under this By-law shall be in force so as to permit any person so licensed to hold any such exhibition or show as aforesaid, on the days of the Exhibition of the Agricultural Association of Ontario or of any Electoral District or Township Agricultural Society, either on the grounds of such Association or Society, or within the distance of three hundred yards from such grounds.

8. No circus or menagerie shall be exhibited in any public street, lane, park or square, in the City, nor in any part of the City south of Queen Street from its intersection with Barrie Street nor east of Barrie Street from its intersection with Queen Street.

9. Amateurs performing in public and not for personal gain shall be exempt from the payment of a license fee.

10. The following sums shall be paid to the City Treasurer by the respective licensees for the licenses for theatres, exhibitions, shows and entertainments aforesaid, respectively, that is to say:

For every license to exhibit wax figures per day, for the first day \$2.00, and for each day after the first day...\$ 1 00

- For every license for a menagerie per day for each day for which the license may be granted\$20 00
- For every license for an exhibition of jugglery or ledger-demain, rope dancing, tumbling, or such like feats, and for all other such like shows usually exhibited by showmen and not specially mentioned in this schedule, per day for each day for which the license may be granted.....\$20 00
- For every license for a circus per day for each day for which the license may be granted, for the first performance, \$50.00, for the second performance.....\$25 00
- For every license for a side show, exhibition or performance, with or accompanying any circus or menagerie, per day for each day for which the license may be granted\$ 5 00
- For every license for a theatre for dramatic, theatrical or musical performances, continuing open not less than six consecutive days, for each performance\$ 1 50
- For the same continuing open less than six consecutive days, for each performance\$ 2 00
- For any exhibition of pictures or other works of art, panoramas, tableaux, natural or artificial curiosities or other exhibitions of a like nature, and for other shows not before mentioned, per day for each day for which the license shall be granted, for the first day \$2.00, and for each day after the first day.....\$ 1 00

11. This By-law shall come in force and take effect on its passing.

No. 455.

A By-Law Respecting Victualling Houses.

Passed Monday, 31d April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The Council of the Corporation of the City of Kingston, may from time to time grant licenses to the keepers of victualling houses, ordinaries, and houses where fruit, oysters, clams, or victuals are sold to be eaten therein, and all other places for reception, refreshment or entertainment of the public.

2. Every person who within the said City of Kingston shall keep a victualling house, ordinary, or house where fruit, oysters, clams or victuals, are sold to be eaten therein, or other place for the reception, refreshment or entertainment, of the public, before it shall be lawful for him to do so shall obtain a license from the City Treasurer who is hereby authorized to issue the same upon payment of the license money.

3. For every such license the person obtaining the same shall pay to the City Treasurer at the time of taking out such license the sum of \$1 license fee.

4. The provisions relating to victualling shall not apply to any licensed Tavern or Saloon or the keepers.

5. This By-law shall come in force and take effect on its passing.

No. 456.

A By-Law Respecting Transient Traders.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Every transient trader or other person, who occupies premises in the said City, for a temporary period, and whose name has not been duly entered on the Assessment Roll, in respect of income or personal property for the then current year, and who may offer goods or merchandise of any description for sale in the said City, by auction conducted by himself, or by a licensed auctioneer, or otherwise, before it shall be lawful for him to offer any goods or merchandise, for sale as aforesaid, shall obtain a license from the City Treasurer, who is hereby authorized to

issue the same, upon payment of the license fee therefor, for which license such trader or other person shall pay to the said Treasurer the sum of \$100 before obtaining the same. Provided that this section shall not affect, apply to, or restrict, the sale of the stock of an insolvent estate, which is being sold or disposed of within the County in which the insolvent carried on business therewith, at the time of the issue of a writ of attachment, or of the execution of an assignment. And provided always that persons occupying, or using, a room or rooms, in a hotel, tavern, or other house or place, for a temporary period, and selling or offering for sale as aforesaid, goods or merchandise therein, and whose names have not been entered on the Assessment Roll, in respect of income or personal property as aforesaid, shall be deemed to be transient traders within the meaning of this By-law and hable accordingly.

2. This By-law shall come in force and take effect on its passing.

No. 457.

A By-Law Respecting Intelligence Offices.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Every person setting up, intending to keep or keeping, an intelligence office within the City of Kingston, for the purpose of registering the names and residences of, and giving information to, or procuring servants, labourers, workmen, clerks, or other employees for employers in want of the same, and for registering the names and residences of, and giving information to, or procuring employment for domestics, servants, and other labourers, and any other class of servant, workman, clerk, or person, seeking employment, shall before entering upon such business, take out a license to be issued by the City Treasurer, who is hereby authorized to issue the same, on payment of the license money, for which said license the person obtaining the same shall pay at the time of obtaining the same the sum of \$2.

2. Every person licensed to keep an intelligence office shall keep a book in which shall be entered at the time of application the name and residence of any person who may apply for employment, and the name and residence of any person who may make application to be supplied with servants, workmen, clerks or other employees, and also any and all sums of money which may be received by the keeper of such office, for any such services that may be rendered to such person, and such book shall at all times be open to the inspection of the City Commissioner, the Chief Constable, or a Police Constable of the City, and of the City Council Committee on Licenses.

3. Every person licensed to keep an intelligence office shall be entitled to receive at the time of application the following fees and no more, and such fees shall be the only fees or charges he shall receive :

From every person, except as hereinafter is excepted, applying for a place or employment..... 25 cents.

From every person making application for a domestic, servant, labourer, workman or other employee, not being a clerk or employee of an equal or higher status to a clerk, the sum of..... 25 cents.

Provided always that in cases of clerks and other employees of an equal or higher status to a clerk, the said person licensed to keep an intelligence office shall be entitled to receive a fee of \$1 from the person seeking employment, and a like fee from the person seeking to employ a clerk or other such employee as last aforesaid ; for which said sums a receipt shall be given at the time of making the application to the person so applying, and in the event of no place or employment being obtained as applied for, or no domestic, servant, labourer, workman, clerk or other employee, as the case may be, obtained as applied for, within one week from the date of the application, one half of the fees so paid shall be refunded on the demand of the person producing the receipt for the same to the person keeping the said office.

4. Every person licensed to keep an intelligence office, who shall directly or indirectly, or through any person or persons, make or use any improper device, deceit, false representation,

false pretences, or any imposition whatsoever, for any improper purpose, or for the purpose of obtaining a fee, money, or gratuity or other thing of value from any customer, person or persons, patron or patrons, or who shall be guilty of extortion, or of taking or demanding any article or thing or any fees except those authorized by the preceding section, shall be subject to the penalty provided for a breach of this By-law upon conviction for any such breach of this By-law.

5. This By-law shall come in force and take effect on its passing.

No. 488.

A By-Law to Enact General Clauses Respecting Licenses.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Except where it is otherwise provided, every person desiring to take out a license under any By-law of the City, except a license to sell fresh meat in less quantity than the quarter carcase, and except licenses for a period of thirty days or less for shows, performances, entertainments or exhibitions, shall first present a petition to the City Council Committee on licenses (of which petition the Clerk shall give notice to the Chairman of the said Committee forthwith), which Committee shall report to the City Council at its next meeting, and such petition shall set forth the name and place of residence of the applicant, the purpose for which a license is desired, with the number and street or other description of the premises to be used or occupied in connection with such license, and no person so licensed shall transfer such license or shall occupy any other place and carry on the calling or business licensed under such license without having first obtained leave from this Council.

2. Every person obtaining a license under this By-law, shall cause the same, or a copy thereof, to be hung up in a conspicuous place within the business part of the licensed premises during the whole time the same are so licensed.

3. Every victualling house, bowling alley, or billiard or other room containing any table or tables licensed under the By-laws respecting the same, which shall be situate in any house or premises which is licensed as a tavern or shop for the sale of intoxicating liquors, shall be and remain closed from and after the hour of seven o'clock on Saturday evening until the hour of six o'clock on the Monday morning next thereafter, and on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, the said houses, alleys and rooms, shall be closed at the hour of half-past eleven o'clock at night and remain closed until the hour of five o'clock on the following morning, and all other victualling houses, bowling alleys and billiard or other rooms, with tables as aforesaid, and all ball alleys, racket and tennis courts, theatres and exhibitions, shows and places as aforesaid, licensed under the By-laws respecting the same, shall be closed on every Sunday, and shall be closed on every other day from the hour of half-past eleven o'clock at night to the hour of five o'clock on the following morning.

4. No person licensed to keep a victualling house, intelligence office, ball alley, bowling alley, racket or tennis court, bagatelle table or billiard table, shall permit any loose, drunken or disorderly person, or one who keeps or resides in any house of ill-fame, bawdy house, or any prostitute, or thieves associate, to resort to, remain at, or frequent, his house or premises, and no person so licensed as aforesaid shall allow any person under the age of eighteen years to frequent his place, or play, or to witness play, or shall keep, or suffer, or permit to be kept, in his house or premises, any faro table, rouge et noir table, roulette table or any other device or devices for gambling or gaming, or shall suffer or permit any tipping or gambling or gaming of any kind to be carried on therein or thereupon.

5. All licenses, unless they are expressed to be granted for a shorter period, and unless the same shall become sooner forfeited, and except as may be otherwise provided, shall be for the current year or for the period of it to come at the time of the issuing thereof, and shall expire on the thirty-first day of December next following the date of the issue of the same, and on the first day of January in each succeeding year a new license shall be

required and must be paid for and taken out if the business is continued or entered upon in any such succeeding year, and no license shall be for a greater period than one year, and for every license for which an annual license fee is charged (except licenses for the sale of fresh meat), and which licenses shall be considered annual licenses, issued between the first day of January and the first day of April in any year, the amount to be paid for the same shall be equal to the charge for the full year; for any such license issued subsequent to the first day of April and before the first day of July, the charge shall be equal to three fourths of the full charge for the full year; and for any such license issued subsequent to the first day of July the charge shall be equal to one half of the full charge for the full year. Provided that no deduction shall be made in the prices of any licenses other than the said annual licenses. And provided further that no abatement shall be allowed or made as to the license fee to be paid for a license for the sale of fresh meat.

6. Every license issued shall be issued by the City Treasurer, and shall be made out in duplicate, and one duplicate shall be delivered to the licensee, and one duplicate shall be kept in a book by the officer issuing the license, and the City Treasurer shall keep for each year a regular calendar, or record, under proper headings, of all licenses issued or transferred during each year by him, with names, places, descriptions and other full particulars of the same.

7. Every person to whom a license has been granted shall produce the same whenever it may be demanded by the Mayor, Police Magistrate, City Commissioner, or any Alderman or Justice of the Peace having jurisdiction, Chief Constable, Constable, or other person duly authorized.

8. This Council may allow the transfer of licenses from one person to another, or from one house or premises to another house or premises, upon the payment of one dollar to the City Treasurer for the use of the City, and the said Treasurer shall forthwith enter such transfer.

9. The City Treasurer shall keep a separate account of all moneys received for licenses and transfers of licenses by him.

10. No person shall exercise any calling, or do anything, or do or carry on any business, or keep any house, room, table, alley, court, place or thing, for which a license is required, without having first obtained and paid for, and having the proper license required to enable him so to do.

11. No person holding a valid license at the time of the passing of this By-law, shall be required to take out a new license for the same business, or calling or thing, until the said license so held by him shall expire.

12. Licenses of the various kinds, issued, shall be numbered in yearly series, from one upwards, and a new license issued to replace one that has expired shall bear the number of the latter.

13. Every license issued shall contain a proviso that the licensee shall observe and keep the provisions of the By-law under which it was issued, and of this By-law, on pain of being dealt with as for a breach of said By-laws as the case may be.

14. Every license issued shall be numbered as aforesaid, and shall contain the name and place of residence of the licensee, the thing or business licensed, the number, street or other description of the premises, place, or locality, to be occupied or used in connection with such license, the period for which such license has been granted, with the price paid therefor, and shall be signed by the Mayor, and countersigned by the officer issuing the same, the City Treasurer.

15. Only licenses granted to the keepers of bagatelle tables, billiard tables, ball alleys, bowling alleys, racket courts, tennis courts, victualling houses, intelligence offices, and to butchers, or sellers of fresh meat, to hawkers or petty chapman, and to auctioneers, are hereby classed as annual licenses, and such licenses shall end on the thirty-first day of December following their issue, the charges for which may be reduced as aforesaid according to the time of their issue.

16. Before any license is issued the premises which it is proposed to use or occupy in connection therewith shall be inspected by the City Commissioner, who shall report in writing to the Mayor or Chairman of the Committee on Licenses upon the

fitness or unfitness of the same. Provided that the clerk of the market shall inspect the premises proposed as places for the sale of fresh meat,

17. Where the delay of having the application disposed of by the City Council would cause loss or much inconvenience the Mayor or said Committee on Licenses may grant the license provisionally subject to the action of the City Council.

18. The provisions of this By-law shall apply to all licenses issued under By-laws of the City, and the licensees holding the same except so far as it may be otherwise provided in the said By-laws.

19. This By-law shall come in force and take effect on its passing.

No. 459.

A By-Law to Fix the Time for Taking the Assessment.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The assessments in and for the City of Kingston shall be made and taken as follows, that is to say: Between the first day of July and the thirtieth day of September in each year; that the rolls shall be returnable to the City Clerk on the first day of October in each year; that the time for closing the Court of Revision shall be the fifteenth day of November in each year; and that the time for final return by the Judge of the County Court shall be the thirty-first day of December in each year; and the periods for taking said assessment and for the revision of the rolls by the Court of Revision and by the County Judge, shall henceforth be as herein is provided, and not otherwise; and that the assessment to be made and taken under the above provisions, first after the passing of this By-law, shall be adopted as the assessment on which the rates shall be levied for the next year following the year in which the same was made and taken,

and the assessment so made and taken in each year following the last mentioned year shall be the assessment on which the rates shall be levied for the year following the year in which it is so made and taken.

2. This By-law shall come in force and take effect on its passing.

No. 460.

A By-Law Respecting Cruelty to Animals and to Prevent the Same.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. No person shall excessively, cruelly, wantonly or unnecessarily, beat, bind, ill-treat, abuse or torture, or otherwise cruelly treat, any horse or other animal, within the limits of the said City, and no person shall urge, by beating or otherwise, any horse or other animal, to draw or carry any load or burden which shall appear to be beyond its ordinary or natural strength or ability to draw or carry.

2. No person shall urge, by beating or otherwise, any horse or other animal, beyond its ordinary or natural strength, to draw any heavy load by a sleigh, or other vehicle without wheels, over the bare ground in winter, or at any other time, and it shall be lawful for any member, or officer, of the City Council, or of the police force, to order any person so offending, to stop immediately and reduce the weight of the load until it can be easily drawn.

3. No person shall promote, or encourage, or be in any way present at, or aid, or take part in, any match, or exhibition, of a prize or pre-arranged fight, or challenge fight, between men or women, or between a man and a woman, or between minors, or of bull-baiting, cock-fighting, or dog-fighting, nor shall any person encourage, or set on, any dogs to fight.

4. This By-law shall come in force and take effect on its passing.

No. 461.

A By-Law Respecting Dogs.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. It shall not be lawful for dogs to run at large in the said City.

2. If any dog running at large in the said City shall run at or attack any person peaceably travelling in any public street, highway or public place in the said City, or the horse upon which any person may be riding, or which any person may be leading, or driving in any carriage or other vehicle, and complaint thereof be made to the Police Magistrate of the said City, or other Justice of the Peace having jurisdiction, such Police Magistrate or Justice aforesaid shall enquire into the complaint, and if satisfied of its truth, and that such dog is dangerous, or in the habit of running after, barking at, or attacking persons or horses in the streets of the said City, such Police Magistrate or other Justice as aforesaid shall issue an order in writing to the occupier of the house in which such dog is kept to kill, securely chain, confine or remove such dog out of the City immediately on receipt of such order, and if the occupier of the house in which such dog is kept shall neglect or refuse to obey the said order within forty-eight hours after being served therewith, he shall be liable to be fined in the sum of two dollars, together with costs, and in a further sum of two dollars with costs for every forty-eight hours thereafter until such dog be killed, securely chained, confined or removed from the said City, and every occupier of a house in which such dog shall be kept shall upon receiving notice for that purpose from the Police Magistrate of the said City, or Justice as aforesaid, or Clerk of the Police Court of the said City before whom any such complaint may be made, produce such dog at the hearing of such complaint in order that the complainant may identify the same, and every occupier of a house or premises in which any dog is kept or suffered to remain for the space of twenty days previous

to the assessment of a tax in respect thereof, or previous to any complaint being made against such dog, shall be deemed the owner thereof for all the purposes of this By-law.

3. If the occupier of any house or premises in or about which any bitch is kept or allowed to remain shall not tie up or confine the same within such house or premises during the whole period such bitch shall be in heat the said occupier shall, upon conviction before the Police Magistrate of the said City or other Justice of the Peace having jurisdiction, forfeit and pay for every such offence a fine of four dollars, together with costs, and it shall be lawful for the High Bailiff, Chief Constable, or any constable or inhabitant of the said City, to destroy such bitch during the period aforesaid if found running at large.

4. It shall be the duty of the occupier of any house or premises, in or about which a dog is kept, to keep in and confine or muzzle the same after any order shall be issued by the Mayor and City Council for the purpose, for the period mentioned in such order, and if the said occupier shall refuse and neglect so to do the day after the publication of such order or notice, he or she shall, upon conviction before the Police Magistrate of the said City or other Justice of the Peace having jurisdiction, forfeit and pay for every such offence a fine of four dollars and costs, and it shall be lawful for the High Bailiff, Chief Constable or any constable or inhabitant of the said City, to kill and destroy any dog running at large during the time ordered by the Mayor and City Council for the same to be kept in, chained or muzzled.

5. Any person who shall fasten, or tie, any kettle, wood, or other article, to the tail of any dog, and turn the same at large therewith, shall forfeit for such offence a fine of four dollars with costs, upon being convicted thereof, before the Police Magistrate, or other Justice of the Peace, as aforesaid.

6. Any person who shall set on, or encourage, any dogs to fight, or aid or assist in so doing, and the owner of any dog who shall neglect, or refuse, immediately to separate and take away his dog when fighting, upon being requested to do so by the High Baliff, Chief Constable, or any constable, or inhabitant of the said City, shall forfeit and pay a fine of two dollars and costs,

upon being convicted thereof before the Police Magistrate or other Justice of the Peace, as aforesaid.

7. The occupier of every house, or premises in which any dog is kept, shall have a collar with the name of the owner legibly engraved, painted, or written thereon, constantly kept around the neck of every such animal, under the penalty of two dollars and costs, upon conviction before the Police Magistrate, or other Justice of the Peace, as aforesaid, and it shall be lawful for the High Bailiff, Chief Constable, or any constable, of the said City, to destroy any dog running at large without such collar, at the expiration of one month next after the passing of this By-law.

8. Any butcher, market gardener, or huckster, frequenting the market of the said City, who shall keep or harbour any dog in any part of the market square, during the hours appointed for the said market to be kept open, shall, for every such offence, forfeit and pay a fine of one dollar and costs, on being convicted thereof before the Police Magistrate of the said City, or other Justice, as aforesaid, and the Clerk of the Market and High Bailiff of the said City, are hereby required to give notice to the Clerk of the City Council of the said City of all persons offending against the provisions of this By-law.

9. The owner, or possessor, of any dog found running at large or without a collar such as is required in and by section 7 of this By-law, shall be deemed to be guilty of a breach of this By-law, for every day his dog is so found, and liable accordingly.

10. This By-law shall come in force and take effect on its passing.

No. 462.

A By-Law Respecting Wooden Buildings, Wooden Roughcast Buildings, Wooden Metal Protected Buildings, and Wooden Buildings Veneered with Brick.

Passed Monday, 3rd April, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Except as is hereinafter provided no wooden, wooden rough-cast, wooden metal protected or wooden brick veneered buildings of any kind or for any use or purpose, shall be begun, carried on, erected, or put or placed in any part of the City lying within the following limits which shall be the fire limits of the City, that is to say : Commencing at the foot of Barrie Street, thence northerly along Barrie Street to Ordnance Street, thence easterly down Ordnance Street to Rideau Street, thence northerly to Bay Street, thence easterly down Bay Street to the waters of the Harbour, thence along the waters of the Harbour to Emily Street, thence along Emily Street to King Street, and thence southerly along King Street to the place of beginning ; and no wooden, wooden roughcast, wooden metal protected, or wooden brick veneered addition, shall be made to any building within the said limits, and no building shall be begun, carried on, erected, put or placed, within the said limits having other than its main walls of brick, iron or stone, and its roofing of incombustible material or shingles laid in mortar, except as hereinafter is excepted. Provided always that wooden buildings covered and roofed with metal may be erected on water lots where a sufficient foundation cannot be had for a stone or brick building, and provided also that it shall be lawful to erect substantial wooden buildings roofed with metal, or other incombustible material, or with shingles laid in mortar, such buildings to be roughcast in a careful and substantial manner, or the walls shall be covered on the outside with sheet iron, tin or galvanized iron plate, in any part of the City within the said limits, except on the lots or properties fronting on the following named streets, viz. :

- (1) Princess Street, from the water's edge to Barrie Street.
- (2) King Street, from the Place de Armes to Barrie Street.
- (3) Ontario Street.
- (4) Clarence Street.
- (5) Brock Street, from the water's edge to Bagot Street.
- (6) Queen Street, from the water's edge to Wellington Street.
- (7) Wellington Street between Clarence and Queen Streets.
- (8) The east side of Bagot Street between Clarence and Queen Streets.
- (9) The west side of Bagot Street, between a point 150 feet

south from Princess Street to a point 150 feet north from Princess Street.

(10) Montreal Street between a point 150 feet south from Princess Street and a point 150 feet north from Princess Street.

(11) Sydenham Street, between a point 150 feet south from Princess Street and a point 150 feet north from Princess Street.

(12) Clergy Street, between a point 150 feet south from Princess Street and a point 150 feet north from Princess Street.

(13) The west side of Barrie Street, between a point 150 feet south from Princess Street and a point 150 feet north from Princess Street.

2. It shall also be lawful to erect wooden buildings veneered with brick of the height specifications and description set forth in the schedule to this By-law, within the fire limits of the City wherever wooden buildings, roughcast or metal protected may be erected under the preceding section, and also on the following parts of streets in the City, viz. :

(a) Queen Street, from Wellington Street westward.

(b) Brock Street, from Bagot Street westward. Provided that no wooden, roughcast buildings, or metal protected buildings shall be erected in said parts of said last mentioned streets.

3. Provided, further, that no wooden or roughcast or metal protected building, or wooden building veneered with brick, shall be built within a less distance than three feet from any other building unless there be a fireguard wall of brick not less than nine inches thick, or if of stone not less than sixteen inches thick, to extend from the foundation in the ground up to and one foot three inches above the roofs of said buildings; and provided, also, that no wooden or roughcast building or metal protected building, or wooden building veneered with brick, shall be erected within sixty-six feet in the rear of or behind buildings in streets or parts of streets in which the erection of such first-mentioned buildings is prohibited by this By-law.

4. Nothing in this By-law contained shall have, nor shall the passing of this By-law have, the effect of legalizing the erection of any wooden, wooden roughcast, wooden metal protected or wooden brick veneered building, or addition to any building

which may have been heretofore erected contrary to any By-law of the City heretofore in force.

5. Where wooden buildings are roughcast they shall be roughcast all round on each side and each end on the outside, except the roof, and when they are protected with sheet iron, tin or galvanized iron plate, the metal shall be similarly applied, and all such houses or buildings shall be completed within three months from the commencement thereof.

6. All roughcasting and metal protection of buildings, required under this By-law, shall be done to the satisfaction of the City Engineer, who, before its use, shall inspect the metal for protection proposed to be used, and no material condemned by the said Engineer shall be used for the said purpose, and said protection shall be renewed when necessary.

7. It shall not be lawful for any person to begin, carry on, put, place, or erect or re-erect, any wooden, wooden roughcast, wooden metal protected, or wooden brick veneered building or addition to any building, in places within the said fire limits where the putting, placing and erection of such buildings are prohibited by this By-law, and no person shall do so, and the main walls of all buildings to be erected or re-erected on the lots or properties fronting on the streets, parts of streets, and sides of parts of streets mentioned in section one of this By-law, except on the lots or properties fronting on that part of Queen Street west of Wellington Street, and on the lots or properties fronting on that part of Brock Street west of Bagot Street, shall be composed of brick, iron or stone, and no wooden, wooden roughcast, wooden metal protected, or wooden brick veneered buildings or additions shall be begun, carried on, erected, put or placed on the lots or properties fronting on the streets or parts of streets mentioned in section one of this By-law, and that wooden brick veneered buildings and additions may be erected, put and placed on the lots or properties fronting on the said parts of Queen and Brock Streets respectively.

8. All wooden, wooden roughcast, wooden metal protected, and wooden brick veneered buildings or additions to buildings, which have been at any time heretofore begun, carried on,

erected, put or placed in the City contrary to any By-law or By-laws heretofore in force, or which may hereafter be begun, carried on, erected, put or placed in the City contrary to this By-law, shall and may be pulled down or removed by this Council at the expense of the owner thereof. Provided that such owner shall, before any such building or addition to a building shall be pulled down or removed, receive two weeks' notice in writing of the intention of this Council to pull down or remove such building or addition in default of his doing so, which notice may be left at the owner's residence or place of business in the City, or if such owner is not a resident of the City the notice may be left at the residence or place of business of his agent if he have one in the City, or with the occupant of such building or addition if there be one, or may be mailed to the owner's address if known; and if the owner is not a resident of the City, and has no agent in the City, and if his address is not known and the building or addition is unoccupied, then such notice may be fastened to the building or addition to be pulled down or removed, and it shall be the duty of such owner to pull down or remove such building or addition accordingly, and if on the expiration of such notice the building or addition has not been pulled down or removed, then it may be forthwith pulled down or removed at the expense of the owner by this Council, which expense may be recovered in any court of competent jurisdiction.

9. Any removal or enlargement of any such wooden, wooden roughcast, wooden metal protected or wooden brick veneered building, or addition to a building shall be considered a re-erection within the terms of this By-law, and any repairs to any building or addition, which will be necessary to execute to the extent of one half of the whole value of such building or addition, shall be considered a re-erection thereof within the terms of this By-law. Provided that all such buildings or additions may be removed outside of the said fire limits by the owners with the permission of this Council.

10. This By-law shall come in force and take effect on its passing.

SCHEDULE.

Any building erected under the provisions of the foregoing

By-law respecting wooden buildings veneered with brick, shall have a good and sufficient stone foundation, not less than eighteen inches in thickness and extending to a depth of at least three feet six inches under the surface of the ground at all parts.

The total height of any such building, from the top of said stone foundation to the eaves, shall not exceed twenty-two feet, and it shall be strongly and thoroughly framed in all parts with timbers of such dimensions as shall ensure perfect freedom from vibration.

The said building shall be sheathed on the outside of the frame with boards not less than one inch in thickness, thoroughly nailed at each bearing.

The brick veneering shall be at least four inches in thickness, bonded in all parts, and thoroughly secured to the framing of the building at intervals not exceeding thirty-two inches in any direction.

The roof to be covered with incombustible material, or shingles laid in mortar.

No. 463.

A By-Law to Appoint a Medical Health Officer and a Sanitary Inspector for the City of Kingston.

Passed Monday, Oct. 16th, 1893.

Whereas it is expedient that a Medical Health Officer and a Sanitary Inspector for this City should be appointed.

Be it therefore enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. That SAMUEL H. FEE, M.D., be and he is hereby appointed Medical Health Officer for the City of Kingston.
2. That in addition to his duties under the Public Health Acts, the said SAMUEL H. FEE, shall perform the following duties, namely:

(a) He shall be the Public Vaccinator under the Revised Statute of Ontario, Chapter 206, the City furnishing him, without cost, the vaccine as required.

(b) He shall act under and carry out the instructions of the Local Board of Health of the City, and attend all meetings of the Board, and between its sittings he shall obey the directions of the Chairman of the Board.

(c) He shall perform all other duties imposed on him, as such Medical Health Officer by law, and he shall also, if and when required by this Council, from time to time, specially report to it upon the state of the public health of the City and its sanitary condition, and on the sanitary state of any part of the City.

3. The salary of said Medical Health Officer shall be \$400 per annum, payable monthly, and it shall include all fees under R. S. O. Chapter 206 aforementioned, and said salary shall be the only remuneration payable to the said SAMUEL H. FEE, and to which he shall be entitled, for all the duties he has to perform under the said Acts, and this By-law.

4. That WILLIAM S. GORDON be and he is hereby appointed Sanitary Inspector under the Public Health Acts, at a salary such as is or may be from time to time fixed by this Council, payable monthly.

5. This By-law shall come in force and take effect on its passing.

No. 464.

A By-Law Respecting the Fire Department and the Suppression of Fires.

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The Fire Department of the City of Kingston shall consist and be composed of a Chief Engineer, a Mechanical Engineer and Caretaker, a Foreman, and a Stoker, and of not less than seven men, exclusive of the said officers. Provided always, that it shall be competent for the Council, by resolution, at any time to increase the number of men or officers, or to decrease the same in their discretion.

2. The Chief Engineer and the Mechanical Engineer and Caretaker, the Foreman, Stoker and the men, shall be appointed by the Council, on the recommendation of the Committee on Fire, Water and Light, and shall hold office during the pleasure of the Council. Provided that the officers and men now in office shall remain and continue therein during the pleasure of the Council, and their successors shall be appointed as aforesaid.

3. The Chief Engineer shall make rules and orders for the government of the Department not inconsistent with or contradictory to this By-law, and subject to the approval of the Council's Committee on Fire, Water and Light, and also of the Council, the present rules to stand until altered by due authority.

4. The Chief Engineer, or in his absence the Foreman, shall be responsible for the discipline, good order and conduct of the whole Fire Department, and it shall be the duty of the Chief Engineer and Foreman, respectively, to see that the provisions of this By-law respecting the duties of the members of the Department and the care of the engines, hose carriages, hose and other apparatus, and furniture belonging thereto, be carefully and strictly carried out, and the Chief Engineer, or person acting in that capacity or in lieu of him, shall have chief control and superintendence under the Committee on Fire, Water and Light, and under the provisions of this By-law of the said Department and the members thereof, and of all engines and other apparatus used by and for the purposes of the Department, and of all furniture and apparatus belonging thereto.

5. The Chief Engineer on fire duty shall have supreme control and command of the Fire Department, and shall be assisted in his duties by the Foreman, who shall, when on duty, keep in communication with him, transmit his orders, see that they are

properly obeyed, and shall himself give no orders but his, except in his absence from duty.

6. In the absence of the Chief Engineer the Foreman shall discharge the duties of the Chief Engineer, and shall be acting Chief Engineer for the time being, and shall have all the powers pertaining to the office of Chief Engineer while acting as such.

7. The Chief Engineer, assisted by the Foreman, shall muster the whole Department at such place in the City, and on such day or days as the Committee on Fire, Water and Light shall appoint, and it shall be the duty of the Mayor and the Committee on Fire, Water and Light to attend such musters, of which they shall be duly notified by the Chief Engineer, and on such occasions the Department shall be reviewed and exercised with their engines, hooks and ladders, hook and ladder carriages, hose and hose carriages, and all their other fire apparatus.

8. At every such muster a list of the men and officers present shall be taken by the Chief or Acting Chief Engineer, and those absent without leave shall be immediately reported to the Committee on Fire, Water and Light, and upon enquiry, such of them as were absent without a sufficient reason satisfactory to the said Committee, shall be dealt with by the said Committee, who shall reprimand, or suspend or dismiss, as they deem proper, subject to an appeal to the Council, and such persons so offending shall also be deemed to have been guilty of a breach of this By-law and liable to the penalty provided in such case.

9. As soon as may be, after such muster, the Chief Engineer shall transmit to the City Clerk a copy of such list and also a list of the absentees with and without leave, with his report, to be laid before the Committee on Fire, Water and Light; he shall also at the same time transmit to the City Clerk, to be also laid before the said Committee, a written report of the numbers and state of efficiency of the Department and the state of the engines, hooks and ladders, carriages, hose and apparatus of the Department, in which report he shall state such repairs and other matters which may be required and which he may think needful.

10. The Chief Engineer and the Foreman shall promptly attend all fires where the Chief or Acting Chief Engineer shall

place himself in a conspicuous position, so that those whose duty it may be to communicate with him, and those desirous of doing so, may readily find him, and the Foreman shall place himself under his orders and at his disposal to assist him in the discharge of his duties, and carry his orders and directions to the Firemen and others engaged at the fire, and otherwise obey all his lawful commands.

11. It shall be the duty of the Foreman to report to the Chief Engineer, who shall also himself take notice of and report in writing to the Committee on Fire, Water and Light, any act of disobedience, insubordination, or irregularity, committed by any member of the Department, and the name and rank of the offender, and if the charge preferred be found by the said Committee upon investigating the same, to be well founded, it shall be lawful for the said Committee to reprimand or suspend the offender, or otherwise lawfully deal with him as to the Committee shall seem meet, and any member so offending shall be deemed guilty of a breach of this By-law and subject to the penalty in such case provided.

12. The Chief Engineer or Foreman, shall have power to suspend any man of unsteady, disorderly or intemperate habits, or incompetent to discharge his duty while on duty, reporting such suspension forthwith to the Committee on Fire, Water and Light aforesaid.

13. The Chief Engineer and Foreman shall in every case of fire take all proper measures for extinguishing the same, and for the preservation of life and property thereat, and the said Chief Engineer, or in his absence the Foreman, with the consent of the Mayor, or in his absence of the Committee on Fire, Water and Light, or any three members thereof, one of whom shall be the Chairman, or in the absence of these, with the consent of any three members of the Council, may cause to be pulled down, demolished, blown up or removed, all buildings, erections or fences, which he or they shall deem necessary to so deal with, in order to arrest the progress of any fire and prevent its extending.

14. It shall further be the duty of the Chief Engineer to examine monthly, or oftener if necessary or if directed so to do,

into the condition of the engines, hose and all other apparatus pertaining to the Fire Department, and the houses or stations wherein the same are kept, and to report in writing on the state of the same to the Committee on Fire, Water and Light immediately after each monthly examination, or oftener if necessary or required to do so.

(a) Also to see that the fire engines and all apparatus belonging to the Fire Department are kept in good order and efficient repair, so as to be serviceable at any moment.

(b) Also to report in writing to the Council on the first day of January in each year all fires that have taken place within the City during the preceding year, with the causes thereof as well as can be ascertained, the number and description of the buildings or other erections which may have been pulled down, blown up or demolished, to prevent the fire extending, with the names of the owners and occupants of such buildings, and if any lives have been lost, the name or names of the deceased, and the cause of death.

(c) Also to keep correct rolls of the Department, the time of appointment of the members, their names, ages, residence, and the time of their suspension, restoration, dismissal, or discharge, with a memorandum of the offence or cause thereof.

(d) Also to attend all drills, musters, reviews and meetings of the Department for parade or exercise.

(e) Also to enforce all rules and regulations made for the good order and discipline of the Department, and the provisions of this By-law, and for the suppression of fires.

(f) Also to report in writing to the Committee on Fire, Water and Light, the absence of the Foreman or of the Mechanical Engineer from fires or their other duties, with the reasons therefor if any be known to him.

(g) Also to report in writing to the Committee on Fire, Water and Light his own absence from fires or his other duties, and the reasons therefor. Provided that the Committee on Fire, Water and Light may grant leave of absence to the Chief Engineer, or the Foreman, or to the Mechanical Engineer, providing a suitable substitute for the latter at his expense be supplied

or to any of the men, the man getting leave of absence to provide an acceptable substitute.

(h) Also to receive and transmit to the City Clerk all returns of officers and members as required by this By-law, and all communications relating to the Fire Department, all which the City Clerk shall at its first meeting after receiving the same lay before the Committee on Fire, Water and Light.

(i) Also to see that the officers and men of the Department discharge their respective duties properly.

(j) Also to examine and certify if correct the accounts of any person or persons for having repaired or kept in repair the engines or other apparatus, for having supplied fuel to the Department, for having supplied new apparatus, for ringing alarm bells, and such other accounts and services connected with the Fire Department as he may be required to certify by this By-law, or which may be rendered against or to the said Department, or may be referred to him by the Committee on Fire, Water and Light.

15. The Chief Engineer shall receive a yearly salary to be fixed by the Council, payable quarterly on the first day of the months of February, May, August, and November in each year and out of which the sum of \$5 shall be deducted for each time he may be absent from a muster or fire, and the Foreman shall receive a yearly salary to be fixed and payable as aforesaid, and subject to a like reduction of \$3 for absence as aforesaid.

16. The Chief Engineer and the Foreman and Mechanical Engineer shall wear a distinguished uniform and badge to be chosen by themselves, subject to the approval of the Committee on Fire, Water and Light, and they shall always when on duty appear in such uniforms, which uniforms and badges shall be provided by the City.

RELATING TO FIREMEN.

17. No person shall be eligible to be appointed to any office in the Department who has been guilty of an infraction of any of the sections in this By-law, nor until after he shall have continued a member of the Department for one year continuously without having a charge proved against him under any of the said sections of this By-law.

18. No person shall be a member of the Department who is under eighteen or over fifty-five years of age, or remain a member after the latter age.

19. No person shall be eligible to hold office in the Department who is under the age of twenty-one years.

20. Every member and officer of the Department shall be a *bona fide* resident of the City of Kingston.

21. No member of the Department shall become intoxicated or make use of any profane swearing, obscene, blasphemous, indecent, or grossly insulting language, while on duty, or at any muster.

22. No member of the Department while on duty, or at any muster, shall enter a saloon or tavern for the purpose of drinking, or to loiter therein.

23. The Stokers and the ordinary members of the Department, shall be furnished with a uniform which shall be worn on all occasions of musters, parades and reviews, which uniform shall be provided by the City.

24. The officers and members of the Department shall, upon the alarm of fire repair, immediately to the fire alarm box whence the alarm came with all dispatch.

25. They shall not, on going or returning from any fire, go along or upon any sidewalk with an engine or fire apparatus, except to cross the same, nor shall they continue on any crossing or sidewalk any longer than the time necessary to cross the same, except when ordered to do so at any fire by the Chief or Acting Chief Engineer.

26. They shall avoid all collisions and shall avoid running against or injuring any person, and on arriving at the fire they shall take up the position assigned to them by the Chief Engineer or person acting for him, whose orders, whether given by himself or the Foreman or such person, they shall implicitly obey on pain of the penalties herein provided in case of disobedience, insubordination or irregularity.

27. They shall exert themselves diligently in the discharge of their duty at the fire; they shall not cease work until permitted

by the Chief or Acting Chief Engineer ; they shall when permitted re-form and march back to the fire hall with the engines and apparatus in an orderly and regular manner, not faster than a walk and without loitering or delay or noise.

28. The members of the Department shall not in uniform, or with their engine or other fire apparatus, take part in any procession, except the funeral of a member, without the permission of the Committee on Fire, Water and Light, or of the Council.

29. The Committee on Fire, Water and Light may from time to time pass regulations, not contrary to law, or to this or any other By-law of the City, for the governance of the Department, subject to the approval of the City Council, the existing rules and regulations to stand until altered by due authority.

30. All officers and men, upon ceasing to belong to the Fire Department, shall restore all uniforms, apparatus, implements and badges with which they have been entrusted, not being their own property to the Chief Engineer or person entitled to receive the same, and any person failing to do so shall be deemed guilty of an infraction of this By-law and liable to the penalty provided in such case. Provided that the punishment of such person or persons under this By-law shall not interfere with any civil remedy the Corporation may have in the premises.

31. Each person before being appointed a member of the Department shall make and sign the following declaration, viz :

“ I, of No. Street, Ward, in the City of Kingston, do hereby declare that I am of the age of years, that I desire to be appointed to and to become a member of the Fire Department of the City of Kingston, and I hereby promise and declare that I will to the best of my ability, observe, perform, conform to, fulfil and keep the provisions of the By-law respecting the Fire Department and the suppression of fires, relating to the position in the Fire Department, I may occupy at any time, and of the rules and regulations of the said Department from time to time in force, and of all By-laws of the said City and rules and regulations of the Committee on Fire, Water and Light, which may be hereafter enacted and made binding on or affecting me, or my conduct or duty, as a member of said

Department, under and subject to the penalties and disabilities contained or imposed in and by the said By-laws, or which may be contained or imposed in and by any By-law or By-laws which may hereafter be passed as aforesaid."

Witness my hand this day of 1 , (A.B.), (C.D.)
Secretary.

32. The members of the Department shall obey all lawful commands of their superior officers, and failing to do so shall be subject to the penalties herein contained as to acts of disobedience and insubordination; and officers and members of the Department who are not guilty of any offence against this By-law, or who are not dismissed or liable to be dismissed under its provisions, shall be entitled to receive thirty days' notice before their services may be dispensed with; and officers and members of the Department who are desirous of leaving or resigning from the Department must give to the City Clerk thirty days previous notice in writing of such their intention, and if they fail to do so and leave without giving such notice they shall be deemed to be guilty of a breach of this By-law, and if they resign without giving such notice their resignation shall not be accepted, and they shall be held to be officers and members of the Department as the case may be until the expiration of thirty days from the date of the receipt of their resignations.

33. The Stoker and the ordinary members of the Fire Department shall be paid a yearly salary to be fixed by the Council, payable monthly on the first day of each month.

MECHANICAL ENGINEER AND CARETAKER.

34. The Council shall appoint a fit and proper person to take care of all engines and fire apparatus belonging to the Fire Department, and such person shall hold office during the pleasure of the Council, and shall be the Mechanical Engineer and Caretaker of the Department.

35. He shall be a competent, practical steam engineer and mechanic, having a practical knowledge of steam engines, steam fire engines and machines, and equal to the discharge of the duties required to be performed by him, which shall be as follows:—

(a) He must be capable of taking charge of and operating a steam fire engine and the fire alarm telegraph.

(b) He shall after every fire examine and clean, oil and pack the engines when necessary; clean and oil the hose, and see that it is properly thawed out and dried; examine all engines, hose, hose carts, hooks and ladders and other fire apparatus, see that all are in a state of efficiency and repair at all times, and guard against the same being frozen or otherwise unfit for service; report in writing to the Chief Engineer any loss, damage or injury to the same, and the necessary repairs; superintend all repairs and cause the same to be done properly, certify the same to the Chief Engineer when done; cause the engines and other apparatus to be restored to their usual place of deposit as soon as possible after being repaired, and report in writing to the Chief Engineer once every month the state of the engines and other fire apparatus under his care.

(c) He shall inspect monthly, or oftener if necessary, all hydrants or fire plugs in the City, and report in writing after each inspection the condition thereof to the Chief Engineer.

(d) He shall attend all fires and general musters of the Department, and on all occasions when the engines and other fire apparatus are to be taken out or used.

(e) He shall be under the control of the Chief Engineer or person acting in that capacity, and shall obey all his lawful commands and directions, and assist on all occasions to the best of his ability.

(f) After every fire or muster he shall see that the engines and other apparatus have been returned to their usual places of deposit, and that the hose has been properly washed as soon after as possible.

36. If absent from any fire or muster without leave or a reasonable excuse, satisfactory to the Chief Engineer, the latter officer shall report him to the Committee on Fire, Water and Light, who shall deal with him as to them may seem meet, not contrary to law or this By-law, subject to an appeal to the City Council, to which Council the said Committee shall report its findings and the said engineer may have deducted from his salary \$3 for each absence without leave or reasonable excuse.

37. He shall be assisted by a Stoker properly qualified, to be appointed by the City Council, on the recommendation of said Committee, and said Stoker shall assist him in all his duties to the best of his ability.

38. The Mechanical Engineer and Caretaker shall receive an annual salary to be fixed by the Council, payable monthly on the first day of each month.

39. The said Stoker shall receive an annual salary to be fixed by the Council, payable monthly on the first day of each month, and the said Stoker shall be taught by the Mechanical Engineer to operate a steam fire engine besides his other duties.

ENGINES AND OTHER FIRE APPARATUS.

40. The engines, hooks and ladders, carriages, hose, hose carts, and other fire apparatus, shall be kept where they are now kept, or in places assigned for the same by the Council or the Committee on Fire, Water and Light.

41. No engine or other fire apparatus shall be taken out for practice or drill, or other purpose, except on the alarm of fire, or in any case beyond the limits of the City, without the leave of the Mayor or of the said Committee on Fire, Water and Light, or of the City Council, nor shall any engine or other fire apparatus be used for any private use or purpose whatever except as hereinafter is excepted, and all persons authorizing or permitting such use or causing the same in this manner shall be deemed guilty of an infraction of this By-law and be liable to the penalty in such case provided.

42. The Chief Engineer shall keep an account of the quantity of hose and other articles of fire apparatus, and when delivered and in what order, and whether new or old when delivered, a copy of which account he shall furnish quarterly to the City Clerk, and he shall also take a receipt from the Caretaker for the same expressing these particulars, and any injury to the said engines, hose or carts, hooks and ladders, or carriages, or other apparatus, occasioned by the carelessness, wilful neglect or default of the Caretaker, shall be made good by him.

COMMITTEE ON FIRE, WATER AND LIGHT.

43. The Committee on Fire, Water and Light, subject to the

Council, shall have the general control and management of the Fire Department and of all the officers and men belonging to it, and of all the engines and other fire apparatus of the Fire Department, and of the houses and places where the same are kept, and of the Fire Halls, and of the horses required for fire purposes. Provided always that notwithstanding anything contained herein, it shall be lawful for this Council or its Committee on Fire, Water and Light to allow from time to time the use of one of the steam fire engines for pumping in the City, to persons applying for the same, upon such persons paying for such use in advance at the following rates, that is to say :—

\$15.00 per hour for the first hour, and \$5.00 for every subsequent hour, when used for other purposes than the pumping out of cellars, flooded by defective drains, for which no charge shall be made.

And entering into a bond or agreement to or with this Corporation, to make good and pay for all and any damage the engine may have sustained during any such use or employment. Provided further that only one of the said engines shall be allowed to be employed as above at one and the same time, and shall be used and employed in all cases under the superintendance of the Mechanical Engineer of the Fire Department, and provided also that none of the said engines shall be allowed to be used except the provisions contained in the preceding proviso have been complied with

44. The said Committee shall report to the Council the new apparatus which may from time to time required by the Department, with an estimate of the expense of the same, and may, without referring to the Council, order repairs or such apparatus to the extent of not more than \$300 in each year, reporting in all cases to the Council the liabilities incurred, and the purchases made at its first meeting thereafter.

45. The said Committee may from time to time summon before them and examine any officer or member of the Department, and the person thus summoned failing to attend without an excuse satisfactory to the Committee shall be deemed guilty of a breach of this By-law, and liable to the penalty in such case provided.

46. The said Committee shall have power to suspend for a time any officer or member of the Department on grounds which they may deem sufficient, reporting all such cases to the Council for adoption or other disposal.

47. The said Committee shall attend the general musters and exercises of the Department and review the same.

48. The said Committee may order out the Department for drill, review or practice, at any time, and the absentees on such occasions, without leave or a sufficient excuse satisfactory to the Chief Engineer, shall be dealt with as for disobedience as is herein provided.

49. The said Committee may also direct the Department to take part in any public procession or ceremony not of a religious, political or sectarian character, in uniform, and with or without their engines and apparatus, and it shall be the duty of the officers and men of the Department to attend upon pain of the penalties of this By-law as to disobedience as aforesaid.

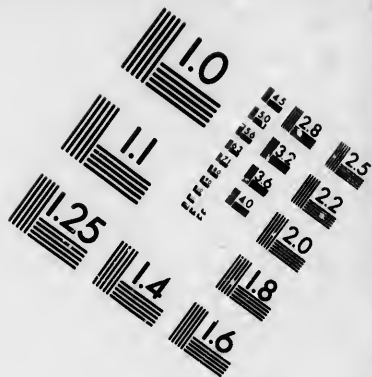
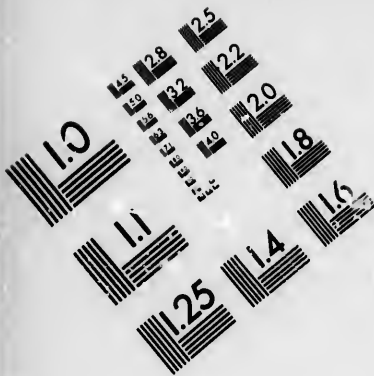
CITY CLERK.

50. The City Clerk shall lay before the Committee on Fire, Water and Light, at its first meeting after receiving the same all reports and other documents connected with the Fire Department transmitted to him, and afterwards file away carefully such as are to be preserved.

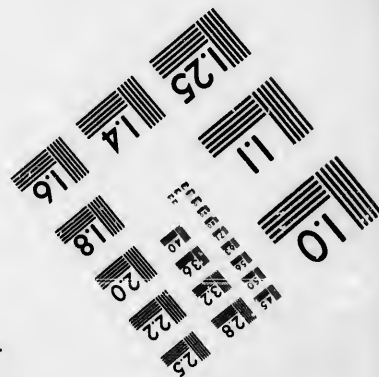
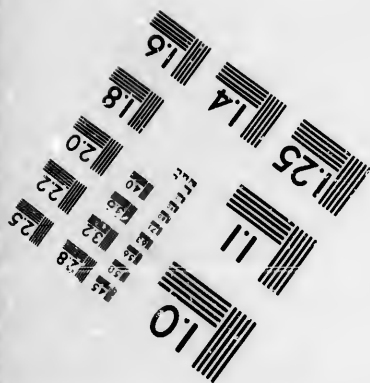
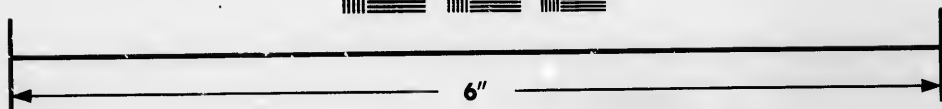
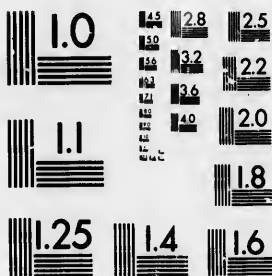
51. The said Clerk shall, half yearly, furnish to the Chief Constable, to be hung up at the police offices, lists containing the names of the officers and men of the Department, and their ward and street of residence.

52. The said Clerk shall furnish to each member of the Fire Department a certificate that he is a member thereof, which certificate shall entitle such person, so long as he continues to be a member of the Department to exemption from the payment of statute labour tax and such other exemptions as he is and may be entitled to by law by being a fireman. Provided always that such certificate shall be renewed once a year at least, and such certificate must in all cases be countersigned by the Chief Engineer,





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POLICE FORCE.

53. It shall be the duty of the Chief Constable, and as many of the force under him as can be spared from other duties, to attend all fires by leave of the Police Commissioners.

54. It shall be the duty of the members of the police force who attend at fires to preserve good order, to prevent irregularity and confusion, to prevent the firemen from being obstructed or hindered or hampered in the discharge of their duties, to keep the people at such fires back to the position to which they may be restricted by the Chief Engineer, to exert themselves to the utmost to save life and property, and to take charge of and guard and protect such property as may be rescued or placed under their charge for safety.

55. And to take into custody all persons who are drunk, or acting improperly, or who refuse to obey any lawful commands or directions, which under the provisions of this By-law it shall be the duty of such persons to obey.

56. Any member of the force on becoming aware of the existence of a fire, after notifying the inmates of the house, shall immediately proceed to the nearest box and sound the alarm.

FIRE ALARMS.

57. A list of the fire alarms and fire alarm boxes with their numbers shall be hung up in the City Clerk's Office, in the Police Office, and in every engine house or place where any of the fire apparatus is kept, conspicuously printed on cardboard.

58. Upon any alarm of fire the City police, with the bell at the City Hall, and the Sexton of St. Mary's Cathedral, (until such time as the City procures a bell for the upper part of the city) shall sound a general alarm in accordance with the strokes of the electric gongs.

59. When the bell at the City Hall ceases sounding the general alarm, which it shall do after the lapse of two minutes the other bell shall also cease ringing, and when information has arrived of the locality of the fire, the person ringing the bell at the City Hall shall strike distinctly, and at due intervals, strokes to the number prescribed as the fire alarm for the locality, after which

he shall pause for the space of two minutes, and then strike as before.

60. The bells shall continue to strike the alarm as above for the space of one quarter of an hour, for which the Sexton of St. Mary's Cathedral shall be entitled to demand and receive from the Council the sum of one dollar.

61. If the alarm has been false, the person ringing the bell at the City Hall shall strike nine strokes at intervals, twice in succession, when the bells shall cease ringing.

62. Any person wilfully giving or causing to be given a false alarm shall be deemed guilty of a breach of this By-law and liable to the penalties in such case provided.

RELATING TO THE PREVENTION OF FIRES.

63. It shall be lawful for the High Bailiff, Chief Constable, any Police Constable or other officer of the City, to enter in or upon and search or examine any lot, house, workshop, cellar, yard, stable, shed or other premises or erections in or on which there is reason to believe there is any stove, stovepipe, furnace, chimneys, flues or other implements, gunpowder, shavings, straw, or any combustible or other matter which may be considered as hazardous or dangerous in causing or communicating fire, and for the said High Bailiff, Chief Constable, Police Constable, or other officer, personally to notify the owner or occupier of such premises to take down, remove, carry away, make secure or destroy the same, and in case such owner or occupier shall refuse or neglect to do so for the space of twenty-four hours after such notice, he, she or they shall be liable in such penalty as is authorized for a breach of this By-law, and in the like penalty for every day such nuisance or danger shall remain unremoved, undestroyed or unabated, and also that it shall and may be lawful for the High Bailiff, Chief Constable, Police Constable, or other officer as aforesaid, with the authority of the Mayor or the Police Magistrate, in case the said nuisance or danger remains unremoved, undestroyed or unabated, at the expiration of twenty-four hours after such notice to cause such nuisance or dangerous article or thing to be taken down, removed, carried away or destroyed at the expense of such owner or occupier, and

for that purpose to enter into any such place or premises as aforesaid with such workmen or others as may be necessary for the purpose.

64. All stovepipes which may be carried through any partition of wood, or wood and lime, or other thing, or through any floor or any house or building, shall in every case pass through stovepipe stones or bricks, or within pots of tin, and shall be kept at least six inches from any part of the wood of the partition or floor and at least ten inches from the beam or ceiling of any room through which any stovepipe may be conveyed, which shall be safely and properly secured to the beams or ceiling with wire, chain, or iron-hoop.

65. No stovepipe shall be carried through a window, side-wall or gable end of any building.

66. Every stovepipe carried through the roof of a house or building of any description shall be secured in a sufficient brick flue, built from the garret floor and ascending at least three feet beyond the roof of the said building.

67. All pipe-holes in any chimney in any house or building not being in use shall be by the occupant kept closed with a tin or sheet iron stopper or ventilator, and all fire-boards shall be protected inside at the bottom and for six inches up from the bottom by covering them with tin or sheet-iron securely fastened.

68. Every stove used in any house or building within the City shall be placed not less than twelve inches from any lath or wooden partition, and every stove so used shall be furnished with an ash-pan or stand of suitable size, constructed of proper material, metal or wood, securely and wholly covered with tin or sheet-iron, to be placed in front of the door of or under such stove.

69. No person shall carry through any square, street or lane, or through any yard, or into or through any mill, stable, barn or out-house in the City, any fire, lighted coals or wood unless in a covered vessel of iron or other safe material, and no blacksmith or other person shall make any fire in any street or square or elsewhere near any combustible material.

70. Every occupant of any house or building within the City in which a fire is kept, is required to provide for all ashes removed from stoves and fire-places a safe receptacle to be made of materials not subject to take fire, and any such occupant depositing or keeping or suffering to be deposited or kept, any ashes in a box, barrel, cask or any other thing consisting of materials subject to take fire, in such tenement or in any premises occupied therewith, shall, for each and every offence, forfeit and pay such penalty as may be imposed under the By-law in that behalf for a breach of this By-law.

71. No person shall carry or keep any lighted candle or lamp in any livery or other stable or mill, barn or out-house in the said City, or near any gun-powder or inflammable or explosive or other substance or fluid, unless the same shall be carried or enclosed in a lantern so constructed as to emit light and prevent its communicating fire to any such combustible materials in such places.

72. No person shall smoke or have in his or her possession any lighted pipe or cigar in any work-shop or other place wherein are combustible materials, or in any stables, out-house or barn.

73. No person shall place or deposit any quick lime or unslacked lime, in contact with any wood of a house, out-house or other building or fence, and any person so doing or failing to remove such lime or to secure the same so as to prevent any danger of fire when required, shall be guilty of a breach of this By-law.

74. No person shall use any house or premises in the City as a manufactory of lucifer matches, fire-works, or gunpowder, nitroglycerine, dynamite, or other explosive material.

75. No person shall use or occupy within the City any building or place for the manufacturing of turpentine, tar, refined petroleum, oil, kerosene, paraffine, benzine, camphine, naphtha, or other dangerous or easily inflammable or explosive substance, for the storage of fire-works.

76. No person shall store or pile coal in a heap except in a shed enclosed on three sides or other enclosed place with a good water tight roof or with a water tight covering and in such a manner that no water, rain or snow can reach it.

77. No person shall have, put or keep hay, straw, grain in straw, cotton, flax, hemp or wood shavings or other easily inflammable material in stack or pile in the City without securely enclosing or covering the same so as to protect the same from the danger of ignition by sparks or other means.

78. No person shall have or keep a lumber yard within the City whereat the buying or selling of lumber or timber is carried on, or whereat lumber or timber is stored unless such yard shall be enclosed with a good and substantial close board fence at least six feet in height from the ground.

79. The Members of the City Council shall be Fire Wardens for the City, and as such shall use their best efforts in the suppressing of fires within the City, subject to the provisions of this By-law.

80. It shall be the duty of the Chief Engineer to inspect all houses and buildings in the course of erection and all other houses and buildings as he may deem necessary, and see that the provisions of this By-law relating to the prevention of fires have been and are carried out.

81. All chimney stacks shall be carried to a height of not less than four feet above the ridge or deck of any roof carried by, connected with or abutting upon, the walls to which the said chimney stack is attached, and where a chimney stack is used to carry away smoke or noxious vapours from any manufactory where an engine and boiler of more than twelve or less than eight horse power are used, such chimney shall not be less than fifty feet in height above the level of the street adjoining such manufactory, and it shall not be lawful to erect or use within the fire limits of this City, as defined in the provisions of the By-law relating to wooden buildings, any other description or kind of chimney stacks.

82. No timber shall be laid within two feet of the inside of any oven, copper, still boiler or furnace, nor within nine inches of the opening of any chimney or within seven inches of the inside of any flue.

83. No person or persons shall hereafter place any stove in any house or building in the said City, without leaving twelve

inches clear from any wood-work, immediately above such stove and nine inches from any wood-work opposite the sides of the same, and at least six inches from the floor.

84. No pipe or funnel for conveying steam or hot air shall be fixed next any public street or highway or the front of any building, nor shall any funnel, pipe or flue for conveying fire, smoke or hot air be fixed on the inside of any building nearer than twelve inches to the face of any timbers of roofs, ceiling or partitions, nor shall any such funnel, pipe or flue pass through any timber, framing or partition of wood or wood and lime, or through any wooden floor in any house, outhouse, office, or building whatever, within the said City, unless there shall be a space of at least three inches clear between the said funnel, pipe or flue and such framing, partition or floor, or unless the same shall pass through a chimney of stone or brick and mortar or shall be encircled by a rim of solid stone, brick or metal, not less than three inches wide and equal in thickness to the full finished thickness of the framing through which such pipe shall pass.

85. All depositories of ashes shall be built of brick or other fire-proof material without wood in any part thereof; and no person within the said City, not having an ash-pit as above prescribed, shall keep more than two bushels of ashes on his, her or their premises.

86. No person or persons shall place or keep any ashes removed from any stove or fire-place, in any wooden box or other wooden vessel, or within three feet of any wooden partition in his, her or their house or premises in the said City or in any out-house or shed, or shall place or permit to be placed any hay, straw or other combustible material, uncovered, in his, her or their court-yard or lot of ground within one hundred feet of any building.

87. No person shall without leave of the said Council, by resolution thereof, set up to work any steam engine in the said City, or erect, construct, or build or aid in the erection, construction or building of any fire-place, hearth or chimney to be used in any iron foundry, furnace or blacksmith shop, or in the casting of molten iron or other metals, or shall make, light, or kindle any

fire in or upon any such fire-place, chimney or furnace so made or constructed.

88. No person shall establish, set up, carry on, or continue within the said City, any manufactory of varnish, or fireworks, or any other factory which from its nature or the material used therein shall be dangerous in causing or promoting fires unless and until he shall have obtained from the City Engineer a certificate of compliance with any general regulations prescribed or to be prescribed by By-law of the Council in that behalf, which certificate shall expire on the thirty-first day of December in each year and shall be renewed annually, and also the leave of the Council, and any person carrying on such business without such certificate or leave shall be subject to the penalty provided for a breach of this By-law, and for such certificate a fee of one dollar shall be paid by the person obtaining the same to the City Treasurer.

89. No person shall smoke or have in his or her possession any lighted pipe or cigar in any stable, carpenter or cabinet maker's shop or building where straw, shavings or combustible material may be, or carry or keep or suffer to be carried or kept any lighted lamp or candle in any livery or other stable within the said City, unless such lamp or candle shall be enclosed in a lantern or shade, so as to prevent any accident from fire therefrom.

90. When any building or buildings in course of erection within the City limits shall be deemed unsafe by the City Commissioner or Inspector of buildings the owner, contractor or agent shall be notified at once to make the same safe and secure and every person so notified who fails within twenty-four hours to comply with such notice shall be subject to the penalty provided for a breach of this By-law.

91. No window sills, dressings, string courses, eave troughs, cornices, or other details or ornaments in any way projecting from the face of external walls, or surmounting the same shall be fixed to any such walls above the line of shop fronts of any buildings or surmounting the party walls thereof, unless such sills, dressings, string courses, eave troughs, cornices, details or ornaments shall be constructed of stone, brick or iron, or shall

be completely covered with iron, tin, zinc, copper, or some other material of an incombustible nature.

92. All cranes and hoisting-gibs projecting from the face of any external wall of any house, warehouse, storehouse or other building, above the ceiling line of the ground floor, shall be constructed of iron or other incombustible material or covered internally and externally with incombustible material, such crane or gib not to project over any street or lane.

93. No person shall hereafter establish a lumber yard within that part of the City called the "Fire Limits."

94. No breast of any chimney shall be supported by timber, excepting such piling or planking as may be necessary in the foundations, and all timber shall be eight inches at least below the hearth; chimneys back to back in party walls shall be in the chimney back at least one brick or nine inches in thickness; chimney backs in party walls not being back to back with any other chimney shall be at least seven inches clear from the party line.

95. The thickness above specified shall be continued to a height of at least twelve inches above the mantel in every case, and all flues built in internal, external, or party walls, shall be surrounded by brickwork not less than seven inches in thickness.

96. All partitions or widths between flues shall be at least half a brick in thickness, and the breast and back of every chimney, and every breast, back and partition or width of any flue shall be pargetted within.

97. Chimney hearths shall in all cases be laid wholly of brick or stone, unless the same be in a cellar or basement story, and be laid and bedded in solid earth, and every chimney shall have a slab or slabs or foot pieces before the same of stone, brick, marble, iron or cement, at least one foot six inches broad and extending at least six inches beyond each end of every fire-place opening.

98. Hereafter every person who shall erect or build any house or building in any part of the City within the fire limits, which shall be or is intended to be adjacent to any other house

or building, shall build a good and substantial party wall or party walls (as the case may be) of brick or stone on the side or sides which shall adjoin or be intended to adjoin any other house or building, which party wall shall not be less than twelve inches thick if of brick, nor less than sixteen inches if of stone, and shall be terminated at the top by a fire guard wall of the same thickness, with proper coping, and rising not less than eighteen inches above the roof. Provided always that if a wall of the thickness, materials and description aforesaid be previously standing in the contiguous or adjoining house or building, then and in such case the person or persons who shall erect any such new house or building shall not be required to make a second wall or walls as aforesaid.

99. Hereafter no chimney shall be built in the City unless of stone or brick walls eight inches in thickness, well plastered on the inside, and rising at least three feet above the ridge of the roof, which chimney or flue if built in circular or square form shall not be less than twelve inches in inside diameter, and if of oval form not less than ten inches by fourteen inches.

100. It shall be the duty of the City Commissioner, Chief Constable, or any Constable of the said City, personally to notify any Proprietor, Master Builder, Overseer or Agent having the superintendence of or concerned in the erection of any wooden building or addition thereto, or building requiring a party wall or walls, or chimney or flue as aforesaid, of any violation of the provisions of this By-law relating thereto, and to forbid any such person to proceed with any work contrary thereto, and in case any such person shall after such notice persist in any such work, contrary to this By-law, he shall, on conviction, forfeit and pay a penalty of not less than five dollars nor more than twenty dollars for the first day, and a like penalty for every subsequent day he shall continue and persist in such work, besides costs.

101. Any person requiring to burn any hay, straw, chips, shavings or other combustible materials in the open air shall do so on a damp day when there is no wind, and at a distance of not less than seventy feet from any house, building or vessel in

or on the shores of the harbour, and such fire shall be constantly watched and completely extinguished before nine o'clock at night.

102. It shall not be lawful for any person to fire or set off any fire-arms, gunpowder, fire-balls or fireworks in any part of the City whereby a danger of fire would be created, and no person shall set or let off squibs or fire-crackers in any street, park or other public place in the city.

103. No person shall light or have a fire in a wooden house or outhouse unless such fire is in a brick or stone chimney, or in a stove of iron or other metal properly secured.

104. Every store, dwelling house or building of two or more stories high, erected or which may be erected in the city, shall have a scuttle in the roof and a suitable stairway or ladder leading to the same from the inside, fitted and placed therein by the owner or occupier so as to afford convenient access to the roof in case of fire, and the proprietors or lessees of all hotels, mills, factories and workshops of two or more stories high in which people reside or are employed, or in which it is intended they shall do so, shall provide for the use of such hotels, mills, factories and workshops, a sufficient number of fire escapes for the saving of human life in the case of fire, and the number and quality of such fire escapes unless where the same are prescribed by any Act of the Legislature, shall be determined by the Chief Engineer of the Fire Department, and any person failing to comply with any of the provisions of this section shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly unless any penalty prescribed by any such Act applies.

105. Every dwelling house, manufactory, store, workshop or other building, having a chimney or chimneys, shall be furnished and maintained with good and sufficient ladders reaching from the ground three feet above the eaves of the building, and from the eaves to the ridge of the roof against or near such chimney or chimneys, and any person failing to comply with any of the provisions of this section shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

106. No person shall sell gunpowder or permit gunpowder to be sold in his house, shop, storehouse or other building at night, or when so dark as to render a light necessary.

RELATING TO THE SWEEPING OF CHIMNEYS.

107. The Chimney Viewer and Fire Inspector, appointed by this Council, shall be paid the charges allowed by this By-law for sweeping chimneys for his services and for the services of those whom he employs to enable him to have the duties prescribed by this By-law properly performed, and it shall be the duty of such officer to see that the provisions of this By-law, from section 107 to section 113 inclusive, and of any other By-law which may hereafter be passed by the Council relating to the prevention of fires be observed, and in case of any neglect or refusal in the observance of such provisions, to complain by information to the Mayor, Police Magistrate, or any Justice of the Peace, having jurisdiction.

108. He shall, when required, and not otherwise, sweep the chimneys of such persons as desire them to be swept, for which service he shall be entitled to charge the prices following, viz. :

No. 1. For sweeping the chimney of any house which does not exceed in height a ground floor and garret, the sum of ten cents, and for every additional flue the sum of five cents.

No. 2. For the sweeping of a chimney in a house higher than is named in No. 1, and which does not exceed in height two floors and a garret, the sum of fifteen cents, and for every additional flue the sum of five cents.

No. 3. For the sweeping of a chimney in a house higher than is named in No. 2, and which does not exceed in height three floors and a garret, the sum of twenty cents, and for every additional flue the sum of six cents.

No. 4. For the sweeping of a chimney in a house higher than is named in No. 3, the sum of twenty-five cents, and for every additional flue the sum of ten cents ; which charges as aforesaid shall be paid at the time of sweeping by the occupier or occupiers of each house.

109. He shall accompany the persons employed as sweepers and see that they do their duty in a proper manner and with the least possible inconvenience to the citizens.

110. He shall register in a book kept for that purpose a list of all houses and tenements in the City in which fires are used, the names of the occupiers, of how many stories in height, and the trade, business or calling of the occupiers.

111. It shall be the duty of the Chimney Viewer to call on each occupier of a house within the City at least once in every six months to offer his services to sweep the chimneys and flues in said house: Provided always that no person shall be fined as hereinafter mentioned unless the Chimney Viewer shall have tendered his services in accordance with this section.

112. The occupier of any house in the City in which a chimney or flue may take fire and which shall not have been swept as aforesaid within six months, shall be deemed guilty of a breach of this By-law, and shall forfeit and pay a fine of not less than two dollars, nor more than five dollars and costs, and every person shall cause his stove-pipes in use to be well cleaned inside from soot at least twice between the months of November and April, in each year, subject to a like penalty.

113. It shall not be lawful for any person to engage in the business or occupation of sweeping chimneys in the said City unless under the direction of the Chimney Viewer: Provided that any person may sweep his own chimney.

114. It shall not be lawful for any person to hinder, molest, or otherwise disturb, the said Chimney Viewer, or the servants employed by him, while in the execution of their duty.

115. The Council shall annually or oftener if need be, receive tenders from persons willing to accept the office of Chimney Viewer and Fire Inspector and have power to appoint such persons as shall offer the best terms.

GENERAL PROVISIONS.

116. All male persons at or near any fire shall assist in extinguishing the same, and in saving and preserving property when

required so to do by the Chief Engineer or Foreman, the Mayor, the Commissioners of Police, any of the Aldermen, the High Bailiff, Chief Constable or any Sergeant or member of the Police Force; and any such persons between the ages of sixteen and sixty years of age refusing to comply with such orders on being made, or any person refusing to retire when ordered by any of the authorities aforesaid, shall be deemed guilty of a breach of this By-law and liable to the penalty in such case provided.

117. It shall be lawful for the Council from time to time and at any time by a resolution to be duly passed to increase or lessen the salaries in this By-law mentioned: Provided that all salaries mentioned in this By-law shall continue at their present amount until altered.

118. No alterations shall be made in any engine or other fire apparatus without the express authority of the Committee on Fire, Water and Light, and all such shall be repaired according to their original plan of construction, unless otherwise ordered by said Committee.

119. When any engine or other part of the fire apparatus becomes unserviceable and unworthy of repair the Chief Engineer shall report the same to the said Committee, and the same shall be removed and deposited by him in a place of safety to remain there until ordered to be sold or otherwise disposed of by the direction of the said Committee.

120. The Chief Engineer shall under and subject to the directions of the said Committee advertise as often as may be necessary for tenders from parties willing to contract for the repairs of the hose, hose carts, hook and ladder carriages, hooks and ladders, and the supply of the same, and of the fuel required by the Fire Department, and such other things required by the Department as may be properly tendered for, and the party whose tender is accepted by the Committee on Fire, Water and Light shall enter into a contract with sufficient sureties for the due performance of what he agrees to do: Provided that it shall not be incumbent on the said Committee to accept the lowest tender in any case or any tender.

121. From and after the passing of this By-law no person or persons shall gamble or play at any game of cards or chance nor shall any intoxicating liquors be drunk at or in any of the Stations or Engine Houses in the City of Kingston or at any place used as a fireman's hall or place of meeting.

122. No person shall drive any vehicle whatsoever over any hose while in use or about to be used at any fire or which has been used or laid to be used at any fire, and is not yet taken up.

123. No person shall obstruct, hinder or delay any Fire Engine, Hose Cart, Hook and Ladder Carriage or other fire apparatus, while the same is proceeding to a fire, and every person travelling, riding or driving on any public street or place along which any Engine, Hose Cart, Hook and Ladder Carriage or other fire apparatus, is proceeding to a fire, shall yield the right of way to the same, and shall not obstruct, hinder or delay the same by keeping in its way or otherwise.

124. No person shall hinder, obstruct or interfere with any officer or member of the Department while he is engaged in performing his duty except those persons authorized by this By-law to do so.

125. The Members of the Council from time to time shall be Fire Wardens, and as such shall use their best endeavours in the suppression of fires within the City.

126. The word "Department" used in the preceding sections relating to firemen and the suppression of fires shall be held and construed to mean and include the officers and men of the Fire Department.

127. The Rules and Regulations relating to the Fire Department of the City, contained in the Schedule to this By-law, are hereby adopted.

128. This By-law shall come in force and take effect on its passing.

SCHEDULE.

RULES AND REGULATIONS OF THE KINGSTON FIRE DEPARTMENT.

1. The Chief Engineer on fire duty shall have supreme con-

trol and command of the Fire Department, and shall be assisted in his duties by the Assistant Engineer, who shall, when on duty, keep in communication with him, transmit his orders, see that they are properly obeyed, and shall himself give no orders but his, except in his absence from duty.

2. The Chief Engineer, or in his absence the Assistant Engineer, shall be responsible for the discipline, good order and conduct of the whole Fire Department, and it shall be his duty to see that the provisions of this By-law respecting the duties of the members of the Department, and the care of the engines, hose, carriages, hook and ladder truck, fire alarm telegraph and other apparatus and furniture belonging thereto, be carefully and strictly carried out, and the Chief Engineer or person acting in that capacity shall have chief control and superintendence under command of Fire, Water and Light Committee, and under the provisions of this By-law of the same, and all engines and other apparatus used by and for the purpose of the Department, and of all furniture and apparatus belonging thereto.

3. The Chief Engineer may suspend from service any member of the Department for the violation of the rules and regulations for the discipline of the Department, and report the same to the Committee of Fire, Water and Light, at their next meeting, with the charges in respect of which said suspension was made.

4. The Chief Engineer may grant leave of absence to members of the Department in such a manner as shall not be detrimental to the service of the Department, and report the same at the next meeting of the Committee.

5. It shall be the duty of the Assistant Chief Engineer to report to the Chief Engineer, who shall also himself take notice of and report in writing to the Committee of Fire, Water and Light, any act of disobedience or insubordination or irregularities committed by any member of the Department, and the name and rank of the offender, and if the charge preferred be found by the said Committee, to reprimand, suspend or dismiss the offender or otherwise lawfully deal with him as the Committee shall seem meet, and any member so offending shall be deemed

guilty of a breach of the foregoing By-law and subject to the penalties in such case provided.

6. It shall be the duty of the guardian of each station to see that the buildings and apparatus entrusted to his care, and all articles belonging to the Department are kept neat, clean and in order for immediate use, and shall report in writing any damage or loss to the same to the Chief Engineer; he shall also preserve order and discipline at all times in his station and enforce strict compliance with the rules and regulations, and shall promptly report all delinquencies on the part of the subordinates to the Chief Engineer, and shall keep in a book provided for that purpose a record of services at fires and alarms or other service at which the members of his station performed duty, and make a monthly report of the same to the Chief Engineer; and all members of the Department, such as stoker, hosemen, laddermen and drivers residing in or attached to any station, shall be under the control of the guardian of such station.

7. All members and employees of the Department are required to be courteous and respectful to one another at all times when performing their duties at fires or in the stations. While on duty at fires the greatest degree of silence compatible with the efficient discharge of duty will be required. Any noisy or boisterous conduct or use of profane or disrespectful language to an associate or citizen will be reported to the Committee of Fire, Water and Light; and any case of drunkenness on duty at any time shall be followed by dismissal from the Department.

8. Each engine house in the Department shall be swept up clean, and all apparatus shall be dusted each and every morning in the year, floors scrubbed at least once a week, all brass work on apparatus, gongs, etc., in station to be polished once a week or oftener at the option of the guardian, who shall see that all tools in use of the Department shall be returned to their proper places after use, and keep the station at all times clean and tidy.

9. No members of the Department shall be allowed to leave the city or be off duty without permission from the Chief Engineer, and no member shall be allowed to have a substitute or

be off duty for a longer period than four weeks, except in case of sickness or special permit from the Committee of Fire, Water and Light.

10. Permanent members of the Department are allowed one hour for each meal, except in case of fire.

11. They shall on all occasions report to the guardian when leaving and returning to station, and they shall remain at their station at all other hours, except when on duty or when granted leave of absence by the Chief Engineer.

12. No person other than members of the Department shall be allowed to frequent or loiter about the stations, nor will card playing, gambling or drinking be allowed therein.

13. The guardian who shall first arrive at a fire shall take charge until the arrival of the Chief or Assistant Chief Engineer, and if no fire he shall wait at least two minutes for the arrival of said officers, and if they do not arrive at the end of that time, the guardian shall order the apparatus to return to their respective stations.

14. The drivers shall take the right side of the road unless some obstruction prevents, and shall in all cases avoid the street railway track in daytime, and if more than one piece of apparatus proceeds on the same street to or from a fire, they shall do so in single file, and any driver who shall carelessly or willingly come into collision with a vehicle of any kind while so doing, shall be held responsible for any damage that may occur.

15. Drivers shall at all times keep their stables neat and clean and allow no manure to accumulate or lay in the stable, but shall keep them swept clean at all times, as dry as possible, and shall also wash the cement floor (if any) under stable, and clean the drain at least once a week or oftener, at the option of the guardian of station.

16. Drivers must not permit any person not connected with the Department to ride on any apparatus to or from the fire.

17. All persons occupying Department beds are required to be up at six o'clock in the morning in summer, and at seven o'clock in the morning in winter, and their bed and bed clothes aired and

bed made in a neat and tasty manner by ten o'clock in the morning, subject to the approval of the guardian of the station, unless on duty at a fire the preceding night. An alarm of fire will not exempt members from this duty.

18. The occupant of each bed shall be held responsible for the cleanliness of the same, and shall be held accountable for any damage to either bed or bedding done through carelessness; and such beds shall not be used until bed hours, and shall not be used by any other person than the members of the Department on duty.

19. After retiring for the night, the occupants shall refrain from any loud talking or laughing, or in any manner disturb the sleep of others; and any person retiring in a state of intoxication shall be reported by the person in charge of the room to the guardian, who shall report to the Chief Engineer, whose duty it shall be to suspend such person and report the same to the Committee of Fire, Water and Light.

20. If any member or members of the Department shall prevent or try to prevent any other member thereof from carrying out the prescribed rules and regulations of the Department, or act in any way that will interfere with the well working of the same, such person shall be reported to the Chief Engineer.

21. No person or persons shall gamble or play at any game of cards or chance, nor shall any intoxicating liquors or ale be drunk in any of the stations or engine houses in the city, or in any place used as a firemens' hall or place of meeting.

22. The gas in all stations to be turned down at 10:30 o'clock p.m. and men in bed at 11 o'clock p.m., when the doors of the station will be locked.

23. Members of the Department shall be held accountable for any neglect or failure to comply strictly with the foregoing rules.

No. 465.

**A By-Law Respecting the Assessment of Ground used as a
Paddock, Park, Lawn or Pleasure Ground.**

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The ground used as a paddock, park, lawn or pleasure ground, shall be assessed like other ground.
2. This By-law shall come in force and take effect on its passing.

No. 466.

**A By-Law Respecting Petroleum and other Illuminating Oils and
Fluids.**

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. It shall not be lawful, after the passing of this By-law, to keep in that part of the City of Kingston lying south of a line parallel and 100 feet south of Cataraqui Street and west of Montreal Street, petroleum, coal oil, benzine, bensole, naphtha, spirits of turpentine, paraffine oil or gasoleum, or any fluid compounded of any of the foregoing substances, or dangerously combustible, in any greater quantity or otherwise than is herein provided namely :—

(a) Of petroleum or coal oil not more than five barrels in any one place or establishment.

(b) Of benzine, benzole, naphtha, paraffine oil or gasoleum of not more than two barrels in any one place or establishment.

(c) Of any fluid containing any of the above fluids, or dangerously combustible, not more than two barrels in any one place or establishment. Provided that no person shall keep in any one place or establishment in the aforesaid part of the City more than five barrels altogether of all the above fluids at one time.

2. It shall be lawful to keep and store the above fluids in the part of the City which lies north of a line 100 feet south of Cataraqi Street west of the Great River Cataraqi, and east of Montreal Street, without limitation of quantity.

No. 467.

A By-Law Respecting a Powder Magazine and the Storing of Gunpowder.

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. A safe and properly constructed powder magazine shall be provided by the City, for the storing of gunpowder belonging to merchants, dealers, and other parties in the City, who are used to have quantities of gunpowder in their possession from time to time, for sale or use or otherwise.

2. The powder magazine now in use and situated on the property of John Duff, Esquire, on lot number one, west side of the Great River Cataraqi, shall be and the same is hereby constituted, declared and appointed to be the city powder magazine of and for the City of Kingston, for the storing of all gunpowder

(except the quantity hereinafter mentioned) belonging to or being in the possession of merchants, dealers and other private parties, dealing in or using or being possessed of the same in the City of Kingston, and all such gunpowder (except as hereinafter provided) shall be by the said persons removed to and duly and safely stored in the said magazine within twelve hours after its arrival in the City, under and according to the provisions contained in this By-law respecting the same, and from the time this By-law comes into force and takes effect no gunpowder shall be stored or kept (except as hereinafter provided) within the limits of the City of Kingston elsewhere than in the said magazine so provided for the storage of the same as aforesaid, and all gunpowder hereafter imported into the City of Kingston, except it is to be forwarded or shipped elsewhere, shall within twelve hours of its arrival be stored in the said magazine in the original packages.

3. Each merchant, dealer and person aforesaid may, for storing his gunpowder, on application to the City Council, obtain one of the rooms, divisions or compartments provided in the said magazine for the purpose, and shall in such case receive and keep the key of the same, and shall pay for the same an annual fee of fifteen dollars to the City Treasurer upon his obtaining such room, division or compartment, and no person shall store or allow to be stored in his room, division or compartment, in the said magazine, gunpowder which belongs to any other person.

4. It shall not be lawful for any shipper, carrier or forwarder to keep gunpowder received for delivery or transshipment on his premises, or in his vessels lying thereat, in any greater quantity than is hereinafter mentioned, for more than twelve hours before delivering the same or despatching the same to its destination, and if the same cannot be so delivered or despatched within twelve hours of its receipt, it shall be removed to and stored by such shipper, carrier or forwarder, in the said magazine, and a fee of five cents per original package per week shall be paid by him for the storage thereof.

5. The key of the said magazine shall be kept by such person as the Council may appoint residing near the magazine, and said

key may be obtained by persons having gunpowder stored in the said magazine, or their clerks or employees, at all times between one o'clock in the forenoon and four o'clock in the afternoon, after which hour it shall not be opened until the next day, and said key shall be returned to the said caretaker or person aforesaid by the person using the same immediately after he is done with using it.

6. No person shall use any candle, lamp, taper, matches or other light, or shall smoke in the said magazine, nor shall any person light or place any fire therein, nor shall any person enter or be therein wearing boots or shoes with iron nails therein, and the said caretaker or person aforesaid shall, after each time the said magazine has been opened, see that the same has been securely locked up, and shall also prevent the accumulation or the placing of any combustible materials, or the placing, carrying or lighting of any fire, dangerously near to the said magazine.

7. The said caretaker, or person keeping the key of the said magazine, shall receive from the City twenty-five dollars per annum for his services.

8. No person shall keep, or allow to be kept, in or upon his property, or in or upon the property he occupies within the said City, a greater quantity of gunpowder at any one time than seventy-five pounds, and said quantity of gunpowder shall be kept covered with metallic cases or boxes, which shall be kept in a closeportable metallic case or box, capable of being shut up close, having a strong handle on each side, and labelled "gunpowder," and placed on the ground floor, not more than ten feet distant from the street door, and at least twenty feet distant from any fire or stove, and no person shall carry or use a naked light within six feet of any gunpowder so kept.

9. It shall be the duty of the High Bailiff to visit and inspect all places where gunpowder is sold or kept in quantities greater than a pound weight, or for other purposes than the private use of the possessor, at least once in every month, to see that the provisions of this By-law are observed and that they are enforced, and that persons offending against them be prosecuted.

10. The Corporation of the City of Kingston shall not incur any responsibility, or be liable in any way for any loss occasioned by the theft of the gunpowder, which may be stored in the said magazine, or its destruction by fire or otherwise, or for any loss occasioned by the carelessness or improper conduct or negligence of the persons entering the said magazine to fetch gunpowder for its owners, or to store, examine, or look after said gunpowder, or by negligence of the caretaker, and each person so storing gunpowder in said magazine, shall, before getting the privilege to do so, sign an agreement to the effect of this section.

11. No person shall keep for his private use or otherwise than for sale, more than ten pounds of gunpowder.

12. This By-law shall come in force and take effect on its passing.

No. 468.

A By-Law Respecting the Sale of Mineral Coal.

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Every coal dealer in the City of Kingston shall give to the driver or person in charge of each load of coal, sent out for delivery by him to a purchaser in the said City, a ticket signed and dated by such dealer, specifying the true amount or weight of coal contained in such load, which ticket to be delivered with the load to the purchaser.

2. It shall be lawful for the City Commissioner to require that any such load of coal, on its way from the seller to the buyer in the said City, shall be weighed upon any public city scales or for the purchaser of any such load of coal to require, that the same shall be so weighed, and the driver or person in charge

thereof shall thereupon have the said load and the vehicle containing it weighed separately at such scales at the expense of the person requiring the weighing to be done, and shall then and there produce to the weigh-master the ticket in the preceding section of this By-law mentioned.

3. Any coal dealer who falsely states in the ticket aforesaid, or whose ticket aforesaid contains a false statement of the weight or amount of the coal in any load of coal, and any driver or person who, upon request as aforesaid, refuses to have his load and vehicle weighed as aforesaid, or to produce his ticket to the weigh-master as aforesaid, or who neglects to deliver a ticket as aforesaid to the purchaser of the coal with each load delivered, shall be deemed to be guilty of a breach of this By-law.

4. This By-law shall come in force and take effect on its passing.

No. 469.

A By-law Respecting the Inspection of Milk and other Natural Products Offered for Sale.

Passed Monday, Oct. 16th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :

1. The City Commissioner for the time being shall be, and he is hereby appointed Inspector of Milk, meat, poultry, fish and other natural products offered for sale for human food or drink, in the City of Kingston, *ex officio*, and without salary as such Inspector.

2. It shall and may be lawful for the said Inspector to examine and inspect all such articles as aforesaid offered for sale for human food or drink wherever the same may be so offered, whether on the streets or public places and squares, or in shops in the City, and with proper instruments and appliances for the purposes to

enter all carriages, carts, and other vehicles, used for the conveyance of any such articles, or from which the same are sold or delivered to purchasers, and the shops or premises of any person or persons, or other place, in which any such articles are exposed or kept for sale, during business hours, and there to examine and inspect any such articles, and to seize and destroy any tainted and unwholesome meat, poultry, fish or other articles of food he may find, and take samples of any milk which may, in his opinion, be adulterated, offered for sale, for the purpose of testing the quality of the same, or of ascertaining whether the same is adulterated, paying or tendering for such samples, their value, if required, out of the funds to be provided by this Council.

3. It shall be the duty of every person keeping or offering any such articles of food or drink for sale, whether on the streets, public places or squares, or in shops, in the City, to furnish to and permit the said Inspector to take samples of any such articles as aforesaid for examination or analysis, and any person hindering the said Inspector in the discharge of his duty, or refusing to permit him to examine and inspect, or to take samples of, any such articles, on his paying or tendering their value as aforesaid, shall be deemed guilty of an offence against, and incur the penalties of this By-law.

4. The said Inspector shall keep a record in his office of all dealers in and vendors of milk, meat, poultry, fish and other such natural products, and of all inspections which he shall make from time to time, and the result thereof.

5. It shall be the duty of the said Inspector whenever he has reason to believe any milk or other natural products inspected or examined by him as aforesaid, to be adulterated with water or any other substance, to procure a sample thereof to be analysed by the proper analyst, under the provisions of the Adulteration Act, passed by the Parliament of Canada, and chaptered 107 Revised Statutes of Canada, and prosecute or cause to be prosecuted under the provisions of the said Act, or under the provisions of this or any By-law if applicable to the case, all persons who may be found selling, offering or keeping for sale, any adulterated milk or other articles of human food or drink.

6. No person shall sell or offer for sale skimmed milk for unskimmed milk, or a mixture of the two kinds for unskimmed milk or new milk, or mix water with the milk he sells or offers for sale as pure milk, or sell such watered milk.

7. No person shall expose for sale or market in any public market, street or public place, any article of human food or drink, adulterated with any deleterious substance.

8. No person shall expose for sale or market in any public market, street or public place, any article of human food or drink, knowing the same to have been mixed with any other substance, without first declaring to the intending purchaser such admixture.

9. No expenditure in connection with the enforcement of the sections of this By-law relating to the inspection of milk, meat, poultry, fish and other natural products as aforesaid, shall be incurred by the Inspector without the authority of the Chairman of the Committee on Markets having been first obtained.

10. Nothing contained in the preceding nine sections of this By-law shall be held or construed to relieve any other officer of this Council of any duty now imposed upon him by any By-law or By-laws of this Council.

11. The word milk used in the preceding sections shall mean milk offered for sale as fresh, unskimm.ed milk, as it came direct from the cow.

12. This By-law shall come in force and take effect on its passing.

No. 470.

A By-Law Respecting Bread.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. All bread sold or offered for sale in the City shall be made of good and wholesome flour, unadulterated, and shall be composed of the kind and quality of flour it is held out or represented to be composed of, and shall be in loaves of two pounds and four pounds weight. avoirdupois, respectively, when weighed, not sooner than four hours after being taken out of the oven in which it was baked ; and all bread sold or offered for sale within the City of any less weight than it ought to be or is represented to be, or in the making of which deleterious or adulterated materials are used, or which is over stale or mouldy, or otherwise unwholesome or unfit for human food, shall be seized and forfeited and disposed of as hereinafter mentioned. Provided always that nothing in this section contained shall prevent bakers or other persons from selling or offering for sale biscuits, cakes, buns, rolls, twists, crackers, muffins, or other fancy cakes not intended to represent or pass as a loaf or loaves of bread, and composed of sound and proper materials, and otherwise unobjectionable as aforesaid ; and no baker or other person shall sell or offer for sale in the City any bread not in accordance with the aforesaid provisions of this By-law relating to bread.

2. Once at least in every month, at uncertain intervals and without notice, the bread made for sale or exposed or offered for sale by any baker or other person in the City shall be inspected and weighed, as in the next section is provided.

3. It shall be lawful for the Mayor, Police Magistrate or any Alderman of the City, or the City Commissioner, or a person appointed by him, with the sanction of the Mayor, accompanied by the Chief Constable of the City, or one or more Policemen, at any time between the hours of six o'clock A.M. and seven

o'clock P.M. of each working day of the year, to enter into any bakery, house, shop or place within the city, where bread is made for sale, or exposed or offered for sale, and to examine the contents of any bread cart, or sleigh, containing bread for delivery or sale, and to examine the bread found in any such bakery, house, shop or cart or sleigh, and test the same as to purity and wholesomeness of materials, and also to weigh one or more loaves found in such bakery, house, shop, place, cart or sleigh, and if any loaf is found of less weight than provided in section 1 of this By-law, according to its class, or if it is found mixed with any deleterious or adulterating or injurious substance, or to be mouldy or over stale, or otherwise unwholesome or unfit for human food, or in any way to be contrary to the true intent and meaning of this By-law, then all such loaves as may be so deficient in weight, or mixed with any deleterious or adulterating or injurious substance, or mouldy, over stale, or otherwise unwholesome or unfit for human food, shall be seized and forfeited and taken from said bakery, house, shop, place, bread-cart or sleigh, and the owners of such bread shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly, and the bread shall be destroyed if unfit for human food, or if so fit it shall be sent to the House of Industry for the use of the poor. Provided always that the like regulations and penalties as aforesaid shall in all respects be applicable to brown bread, and all other breads baked and offered for sale; and provided further, that biscuits, cakes, buns, rolls, twists, crackers, muffins or other fancy cakes, as aforesaid, may be of less weight than is hereinbefore provided, as to loaves, but shall be of as good quality, and shall be included in the term bread.

4. Every vendor of bread shall keep scales and weights suitable for the weighing of bread in a conspicuous place in his or her shop, and every vendor of bread shall, whenever required by any purchaser or purchasers thereof, weigh the bread offered by him or her for sale.

5. This By-law shall come in force and take effect on its passing.

No. 471.

A By-Law Respecting Nuisances.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. No person shall cause or commit a public nuisance.
2. No person shall suffer or permit any stagnant water, or any decaying, putrid or unwholesome substance, to be or remain on his lot, or in his house, cellar or yard, or in any out-building or place of his, or which he leases or occupies, and no person shall permit or suffer the undue or unwholesome accumulation of any dung, manure, night-soil, offal, filth, refuse, cinders, ashes, litter or other offensive matter or thing, in or upon his premises, or upon any vacant lot belonging to him, or which he leases or occupies, and every such person shall remove and abate the nuisance upon notice from any officer of the Local Board of Health, or from the Medical Health Officer, or the Sanitary Inspector, City Commissioner, Chief Constable of the city, or any member of the Police Force, and any person who shall neglect or refuse to remove or abate such nuisance forthwith, within twenty-four hours, shall be deemed guilty and shall be dealt with as for a breach of this By-law, each day's default being considered a separate offence.
3. No person shall deposit or throw, or cause to be deposited or thrown, any snow or ice, dung, manure, night-soil, urine, dirt, filth, carrion, dead carcase, dead animals, or part of a dead animal, bones, offal, kitchen or other refuse, sweepings, rubbish, or slops, or garbage of any description whatsoever, decayed fruit or vegetable, or other nuisance, in or upon any public street, park, square, market, lane or public place, or in or upon any street, square, park, lane, alley or place open to common or public use, or into or upon any open drain or watercourse, or in or upon any wharf, or into the harbour or slips thereof, or along or upon the shore or margin of the said harbour or slips,

or upon the ice within the limits of the said harbour or slips, in the City, and any person so doing shall forthwith, and within twenty-four hours, remove the thing deposited or thrown as aforesaid on being notified so to do by any of the officers of the said City, or by any officer of the Local Board of Health, Chief Constable of the City, or Police Constable, each day's default therein being a separate offence.

4. No person shall permit or allow any such things, as in the two preceding sections are mentioned, to remain in any public street, lane, or public place opposite the property occupied by him for a greater time than may be sufficient to have the same removed in, and not more than twenty-four hours after having been notified to remove the same, as hereinafter mentioned, and each day's default therein shall be deemed a separate offence.

5. It shall also be lawful for this Council, at any time, to notify and require in writing any owner or occupier to fill up, drain, clear, alter or relay or repair any grounds, yards, vacant lots, cellars, private drains, sinks, cesspools, and privies, and such owner or occupier shall do what he or she is so required to do in and by such notice within a reasonable time after the receipt of such notice, and without unnecessary delay, and on any default, by any such owner or occupier, this Council may cause the work so required to be done, to be executed, and in such case this Council may and shall assess the owners or occupiers of such grounds or yards, or of the real estate on which the cellars, private drains, sinks, cesspools, and privies are respectively situate, with the cost of such work, and the said owners or occupiers shall pay such cost to the City Treasurer, within three days after a bill of the same has been rendered to them respectively by the City Treasurer, and in case of default in such payment being made by any owner or occupier so liable, a demand of payment of such cost in writing, in the form in the schedule to this By-law as near as may be, signed by the City Treasurer, shewing the work or matter done, and the cost thereof, with a general designation or description of the property on which it was done, shall be left at the place of abode or business, as the case may be, of the said owner or occupier, by the Collector of the said City,

who, in case of non-payment, shall proceed to collect the said cost in like manner as municipal taxes.

6. It shall be the duty of every person owning or occupying premises in the City forthwith, within twenty-four hours, to remove and clear away from the sidewalks, streets and public places adjoining such premises, all such things as in sections 2 and 3 of this By-law are mentioned, upon being notified to do so by any member of the police force, or officer of the City, or of the Local Board of Health, Medical Health Officer or Sanitary Inspector. Provided that if any such things be placed equidistant between two opposite properties, owned by different persons, either of such persons may be made amenable under this By-law (unless one of them proved to have been the actual offender who has caused the nuisance), and each shall pay an equal share of the expense of removal, unless one of them is proved to be the actual offender who has caused the nuisance, and when the the actual offender who has caused the nuisance is known he alone shall be prosecuted under this By-law or be liable to such expense of removal as aforesaid, and each day's continuance of the nuisance, after notice to remove it as aforesaid, shall be a separate offence and shall be dealt with accordingly. Provided, also, that all such nuisances may be abated or removed by this Council at the expense of the person who should abate or remove the same upon his making default, under the provisions of the By-law in that behalf, and of the Municipal Act, and this Council may recover such expense of abatement or removal under the said provisions, or the offender may be proceeded against as for a breach of this By-law, and each day's default shall be deemed a separate offence as aforesaid.

7. The owner or occupant of any tenement used as a dwelling house, or of any other building with which there is a privy connected and used, shall furnish the same with a sufficient covered vault or pit under ground, and the vault or pit of every such privy shall be sunk to a depth of not less nor more than two and one half feet from the surface, and shall be built in the manner hereinafter prescribed, and such owner or occupant shall maintain and keep the said privy vault clean, unobstructed, and in efficient order at all times.

8. All privy vaults shall be built of stone, brick or two-inch pine, hemlock, cedar or oak plank, and shall be made water tight so that the liquid contents thereof cannot escape therefrom except through a properly constructed drain, provided with a grate at the end which connects with the vault, and shall be placed as far distant from any well or water tank on the premises and from the public street as possible, and shall not be placed within twenty feet of any such well or tank or street.

9. No person shall erect or place, or cause to be erected or placed, or continue erected or placed, or permit to be continued, erected or placed, any privy above or over any open drain or water course, or in or above or over the waters of the harbour or slips.

10. There shall be connected with every dwelling-house and building, where the same may be needed, a suitable privy-vault or pit, covered and built and placed as aforesaid, and the owner, agent, occupant or the person having the care of any such dwelling-house or building shall provide such privy-vault or pit, and shall maintain and keep the same clean, unobstructed and in efficient order at all times, and whenever any privy, privy-vault or pit shall become offensive or obstructed, or shall need to be cleaned out, the same shall be cleaned out and put in efficient order, by such owner, agent, occupant or person, and the owner, agent, occupant or other person having charge of the property in which any privy, privy-vault or pit may be situated, the state or condition of which may be in violation of the provisions of this By-law relating to nuisances, shall remove, cleanse, alter, amend, repair and put in order the same, within a reasonable time after notice to that effect, given by any city officer, or officer of the Local Board of Health, Medical Health Officer, Sanitary Inspector, Chief Constable of the City, or Police Constable, and in case of neglect or refusal this Council may cause the same to be removed, cleansed, altered, amended, repaired and put in order, in such manner and to such an extent as may be needful or necessary, at the expense of such owner or occupier under the provisions of this By-law, and of the Municipal Act in that behalf, and may recover such expense from its owner or occupant or agent or person having charge as aforesaid under said provi-

sions or the offender may be proceeded against as for a breach of this By-law, and each day's default shall be deemed a separate offence.

11. It shall not be lawful for any person to empty, cast or lay down, any night-soil, or the contents of any privy, privy-vault or pit, elsewhere in the City than in the place appointed by this Council as the common nuisance ground of the City.

12. All privies and privy-vaults or pits shall be properly enclosed and built and roofed over and ventilated, and shall be thoroughly emptied and cleaned before the month of May in each year, or oftener if necessary, and the contents placed in the place appointed by this Council as the common nuisance ground of the City as aforesaid.

13. It shall not be lawful for any person to deposit, or allow to fall and remain upon any land or lot within the said city, any night soil, or the contents or cleanings of any privy vault or pit, night tub or urinal.

14. No privy, vault or pit shall be opened between the fifteenth day of May and the first day of November, in each year, unless upon inspection made by the proper officer he shall be satisfied of the necessity of opening and cleaning the same for the health and comfort of the inhabitants in the neighbourhood, and in such cases no more of the contents shall be taken away than such officer shall deem to be absolutely necessary for present safety and relief, and all necessary precautions shall be used to prevent and neutralize any offensive effluvia or smells, and such removal and the said precautions shall be made and taken by and at the expense of the owner or occupier, agent or person in charge as aforesaid, and may be recovered as aforesaid.

15. All stables, and places where animals are kept, shall be well and thoroughly cleaned once in each day at least, and shall be well ventilated and kept and maintained.

16. Every butcher, or other person, immediately after killing any beeves, calves, sheep, pigs or other cattle, shall remove or destroy the offals, garbage and other offensive and useless parts of the same, or convey the same to the public nuisance ground.

17. Every vacant lot, or part of a lot, situate in any part of the city which this Council, by a resolution, may declare to be a nuisance, shall be enclosed and kept enclosed with a good and sufficient fence, not less than six feet in height from the surface of the ground or of the pavement or sidewalk, to be constructed to the satisfaction of the City Engineer, and a penalty, with costs as provided for a breach of this By-law, shall be imposed upon the owner or tenant of such lot or part of lot for every day he may neglect to make or maintain the said fence after being notified to that effect by any officer of the City Council, or member of the Police Force.

18. The owner or occupant of any land in the City, upon or in which there is a pit, precipice, deepwater or other place dangerous to travellers, shall fence in the same with a strong and sufficient fence, at least six feet high as aforesaid, satisfactory to the City Engineer, and keep and maintain the same so fenced in for the protection of travellers or being notified as in the last preceding section mentioned, and subject on default to the penalty therein mentioned.

19. No person shall make, sink or excavate any tin vats, or erect or continue any buildings, for the purpose of a tannery, or carry on or continue the trade or business of a tanner, or erect, have or keep, or continue any slaughter-house or other building in the said City for the purpose of slaughtering any cattle, swine or other animals therein, which may prove to be nuisances, and no person shall continue any such tannery or slaughter-house or other building for the purpose of slaughtering any animal therein, which may prove to be a nuisance, for the space of one week after having been notified by the City Commissioner or other officer of this Council, or by the Medical Health Officer, or Sanitary Inspector, or by any member of the Police Force, to discontinue the same, and such person shall remove the same after receiving such notice within the said period, and any such person making default in so doing shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly, and every day any such tannery, slaughter-house or building as aforesaid, shall be continued after the expiration of the said

period as aforesaid shall be deemed to be a separate offence against this By-law.

20. No person shall build, erect, maintain, continue or use any slaughter-house, building, yard or premises for the purpose of killing beeves, calves, sheep, pigs or other animals therein, unless such slaughter-house, building, yard or premises is situated at least sixty feet from any public street or thoroughfare, and at least two hundred feet from any residence or dwelling except that of the owner of such slaughter-house, building, yard or premises, and unless that such slaughter-house, building, yard, or premises is, and continues to be, in no manner injurious to health or offensive to the extent of being a public nuisance. Provided that nothing in this section contained shall be held to permit or authorize any person to cause or commit a private nuisance.

21. Every slaughter-house, building, yard or premises so used shall be kept well drained and ventilated, and shall be cleansed regularly each day, when killing has been done therein, and the offal removed or disposed of by the owner or occupier, so that no offensive effluvia may arise, and any such slaughter-house or building so used as aforesaid shall, by the owner or occupier, be lime white-washed inside at least once in each month, between the first day of April and the first day of November, and shall also be supplied with a hydrant pump or well having a sufficient supply of water for the purpose of keeping the same clean and free from smell, and such owner or occupier shall also, whenever necessary, or upon the request of any officer of the City Council, or the Local Board of Health, or Police Constable, use therein quicklime or other disinfectants of sufficient quantity to prevent offensive smells and injury to health.

22. It shall be unlawful for any person to keep and no person shall keep, or allow to be kept, in or upon his place, pigs or swine, or erect, keep or continue or permit on his place pig-styes or piggeries, so as to cause a nuisance, or to be likely to cause a nuisance, within the limits of the City of Kingston.

23. No person shall erect, keep, continue or maintain any pig-stye or piggery at a less distance from any public street or place than twenty feet.

24. No person shall keep at any time, in any one place, more than one pig-stye or piggery.

25. No person shall keep in any pig-stye or piggery, at any one time, more than four pigs or swine, and every person keeping a pig-stye or piggery shall keep the same clean at all times and well enclosed and drained, and allow its inspection by any officer of this Council, or of the Local Board of Health, the Medical Health Officer, Sanitary Inspector, or Police Constable.

26. No person shall keep, nor shall there be kept, within the limits of the City of Kingston, any cow or cows or other horned cattle, or any cattle byre, stable, yards, or other enclosure for keeping horned cattle, except under and subject to the following provision, regulation and condition :

(1) All stables, byres, yards and other enclosures where cattle are kept shall be properly constructed, ventilated, and kept clean to the satisfaction of the City Commissioner, the Medical Health Officer, Sanitary Inspector, or such other officer as the Council may from time to time appoint to inspect the same, and they shall be open and subject to inspection by said officers at all times in the day time.

(2) The above rule and regulation shall not be construed to prevent properly fenced vacant lots in any part of the City being used as a pasture land; or as a paddock, and the word "cattle" shall not be construed to include horses.

Any person who shall, or may have, any stable or cow-house in the City, shall not have the access thereto directly from any public street, square or thoroughfare of the said City, except by a gateway leading thereto, through a yard or the interior of the premises, and no person shall have any door, wicket or gate of any such stable, or cow-house, or other building, yard, garden, or lot, or other premises, opening outwards on any of the said public streets, squares or thoroughfares of the said City; and if any person has any such door or gate so opening outwards, and shall neglect or refuse to remove or alter the same so as to make it open inwards on the premises to which it may belong, after being notified by the City Commissioner or

City Engineer so to do, he shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly, and every twenty-four hours the same shall remain unremoved or unaltered as aforesaid, after the offender shall have been notified as aforesaid, shall be deemed to be a separate offence against this By-law.

28. No person shall milk or feed or pasture any cows or other cattle, sheep or goats, or feed or pasture any pigs or geese, or feed or pasture or groom any horses, on any of the public streets or sidewalks or public places of the said City, or permit or suffer any cow, pig or other animal, to be or remain upon any sidewalk within the said City.

29. It shall not be lawful for any persons to assemble and meet together for the purpose of holding a charivari, whether in disguise or otherwise, nor for any persons to meet in or march through any street or public place in disguise or in masquerade with design to hold any such charivari, nor for any person or persons to visit or enter the place or entrance of any newly married persons with intent to hold a charivari, or to demand or extort money, provisions, refreshments, or any other thing of value from any such newly married persons.

30. It shall not be lawful for any number of persons to meet or be together in any street or public place after dark with their faces or bodies concealed, or in disguise, or with fire arms, weapons, clubs or missiles of any description, or any purpose whatever, unless under the command of the civil or military authorities.

31. It shall be lawful for the Mayor, the Police Magistrate and Aldermen, the Chief Constable of the City, or any constable to take up and arrest any person who shall belong to or be found taking part in any such unlawful meetings or assemblages of persons as are above mentioned, and to detain such person in custody until delivered to bail or tried before the Police Magistrate or other justice having jurisdiction for his offence.

32. It shall not be lawful for any person to resist, hinder or ill-treat the Mayor, the Police Magistrate, any of the Aldermen, the Chief Constable of the City, or any constable or any person

assisting them, or either of them, while dispersing any such unlawful meeting or assemblage, or while arresting or detaining in custody any person offending against sections 29 and 30 of this By-law.

33. It shall not be lawful for any person to ring a bell, blow a horn, shout or make any unusual noise or noises in any street, square, or public place. Provided that auctioneers may use a hand-bell when about to sell, or selling, anything by public auction in front of their premises; and provided also, that milkmen may use a hand-bell in pursuing their calling.

34. It shall not be lawful for any person to fire off guns or other fire-arms in any public street, square or place, in the said City.

35. No person without lawful authority shall climb or remain on any lamp post, telegraph or telephone pole, or fire alarm pole, or on any trees in the City, or on any fence of any park, square or public place in the City, or on any of the railings or fences along any of the public streets, parks or places of the City.

36. Books shall be kept in the City Commissioner's office in which may be entered all complaints relating to nuisances, and such complaints shall be immediately enquired into by the City Commissioner, Medical Health Officer, or Sanitary Inspector, and a report thereon made to the Mayor and Police Magistrate.

37. It shall be the duty of the City Commissioner, assisted by members of the police force, to make periodical inspections of the City, in the months of May and November in each year, and to cause the provisions of this By-law relating to nuisances to be carried out, and to report from time to time to the Mayor or City Council, or Board of Health, the result of such inspections.

38. This By-law is not intended to abrogate or alter the By-law contained in the schedule to "The Public Health Act," but to be auxilliary thereto.

39. This By-law shall come in force and take effect on its passing.

SCHEDULE.

| Progressive No. | House No. | No. of Lot or other description of the Property. | Name of Owner or Occupier. | Street. | Address | Amount and Description of Work Done. | Cost of Work. | Assessment for Work. | REMARKS |
|-----------------|-----------|--|----------------------------|---------|---------|--------------------------------------|---------------|----------------------|---------|
| | | | | | | | | | |

I hereby demand payment of the above sum of \$

Kingston,

I

City Treasurer.

No. 472.

A By-Law Respecting Vaccinating Officers.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The places hereinafter in this section named are hereby appointed and established as the vaccinating offices in the several wards in the City of Kingston, namely:

Cataraqui Ward—Dr. Thomas M. Fenwick's office.

Frontenac Ward—Dr. D. E. Mundell's office.

Ontario Ward—Dr. Saunders' office.

Rideau Ward—Dr. Samuel H. Fee's office.

St. Lawrence Ward—Dr. Daniel Phelan's office

Sydenham Ward—Dr. K. N. Fenwick's office.

Victoria Ward.—General Hospital.

2. The medical practitioners appointed, or to be appointed to vaccinate for the several wards, shall respectively attend for that purpose at the said places in their said wards respectively, at the hours and times following, that is to say, on Monday, Wednesday and Friday in each week, between one o'clock and two of the clock in the afternoon of the said days.

3. The Mayor is hereby authorized and required, on behalf of the City Corporation, to contract from time to time, as may be necessary, for one year at a time, with seven lawfully qualified medical practitioners, resident in the City, one for each ward, to attend at the said places, in the said wards respectively, at the said times, and vaccinate such persons as then present themselves, or as may then be presented there for that purpose, and that the full remuneration fixed by the statute, Chapter 206, Revised Statutes of Ontario (1887), be allowed to said medical practitioners, payable as is provided in the said statute, and that in addition each medical practitioner so to be appointed shall be allowed five dollars annually wherewith to procure vaccine

matter for the said purpose. Provided that the names of all such medical practitioners shall be submitted to the City Council for approval before such contracts are entered into, and provided that such contracts shall be in accordance with the said statute, and said medical practitioners shall be subject to its provisions.

4. This By-law shall come in force and take effect on its passing.

No. 473.

A By-Law Respecting the Interment of the Dead.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. No dead body of any deceased person shall be interred or buried in any place within the limits of the City of Kingston, Provided that nothing herein contained shall render unlawful interments made within the walls of churches or buildings in actual use as places of public worship.

2. This By-law shall come in force and take effect on its passing.

No. 474.

A By-Law Respecting the Numbering of Houses and Lots.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston. as follows :—

1. The houses and lots along the streets of the City of Kingston shall be numbered, and the numbers affixed to the houses, buildings and other erections along the said streets in accordance with the following provisions in that behalf.

2. Permission and authority is hereby granted to any person contracting with this Corporation to number the lots, houses, buildings and other erections situated and fronting on any of the public streets within the limits of this City, so that the same shall be done in accordance with the following system.

3. All streets running north and south, or in that direction, within the said limits, shall be numbered towards the north, beginning at the southern extremity of said streets, and all streets running east and west, or in that direction, within the said limits shall be numbered from the eastern extremity of the said streets, or more particularly as follows:—

| | |
|--------------------|-----------------------------|
| Ontario Street, | From West Street, N. E. |
| King Street, | “ Barrie Street, N. E. & W. |
| Wellington Street, | “ West Street, N. E. |
| Bagot Street, | “ West Street, N. E. |
| Sydenham Street, | “ West Street, N. E. |
| Clergy Street, | “ Barrie Street, N. E. |
| Montreal Street, | “ Brock Street, N. |
| Rideau Street, | “ Barrack Street, N. |

4. All other less important streets to start and number in the same directions respectively, as near as possible as the principal streets.

5. The series of numbers of each street shall be complete in itself, and the numbering shall be proceeded with, so that each number on one side of the street shall have its alternate or following number opposite to it, as near as may be on the opposite side of the street.

6. Twenty feet shall constitute the distance for which one number is to be allowed, and the number placed on the building shall correspond with the number allotted to the twenty feet of ground to which the front or main entrance of said building or buildings may open or on which it is erected. Provided always

that nothing in this By-law is to be construed as compelling any owner or agent of any house, building, or other erection, to purchase from, employ or permit the said contractor to affix numbers to his houses, buildings or other erections, or any or all of them, but in all cases where numbers are affixed thereto they must be correct and correspond with the numberer's record, and be in accordance with the provisions of this By-law.

7. And it is further provided that nothing herein contained shall in any way be construed as making the said Council, or this Corporation, in any manner liable or responsible for any charge, payment, loss, costs, or expenses, that the said contractor or any other person or persons, shall or may have or incur in or for attaching such numbers to the said houses, buildings or other erections, or any of them; or in carrying out the provisions of this By-law.

8. The said contractor may charge and receive from any person employing him under the foregoing provisions the following prices according to the services rendered by him, namely :—

Prices of numbering houses, buildings or other erections, including work, numbers, block or shield, affixing, and all necessary materials and labour.

| | |
|-----------------------------------|---------------------|
| For 1½ inch (or Church Pew size), | 7 cents per figure, |
| “ 2 “ size on blocks, | 15 “ “ “ |
| “ 3 “ “ “ | 25 “ “ “ |

Silver plated numbers, on walnut shields with moulded edge, from \$1.00 to \$2.00, according to number of figures, style and finish, and the said contractor shall not charge or receive any greater prices.

9. The said contractor shall report to this Council monthly during the continuance of his contract, showing the progress of the said numbering and the number of houses, buildings, lots, and erections numbered, without charge to this Corporation, and also the said contractor shall in all things carry out and observe the provisions of this contract, and perform the said work in accordance with the system contained in the provisions of this By-law agreed upon in his contract.

10. Any owner of property in the City may require the said contractor to number his house, building or other erection or lot in accordance with the provisions of this By-law, and the said contractor shall be bound on such requisition to, and shall, number said house, building or other erection or lot on being paid or tendered the proper charges for so doing, and all work done under the provisions of this By-law shall be so done under the supervision of the City Engineer.

11. No person shall remove, deface, obliterate or destroy the figures or shields placed or painted or affixed to any house, building or other erection numbered.

12. Numbers shall not be affixed to any church or place of public worship, public schools, or to any public building belonging to the Crown, or to the Corporation of the City of Kingston, or to the Corporation of the County of Frontenac.

13. It shall be lawful for the owners and occupiers of houses, buildings, or other erections or lots, to number the same without employing the contractor. Provided that the figures used are in accordance with the provisions of this By-law, and represent the proper numbers of such houses, buildings or other erections.

14. In numbering houses, buildings or other erections, the odd numbers will be on the right hand side, and the even numbers on the left hand side, from the starting point in every case.

15. This By-law shall come in force and take effect on its passing.

No. 475.

A By-Law Respecting Snow, Ice, and Dirt.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. All owners or occupants of houses and buildings in the City of Kingston, shall, from time to time, during each winter season, between the first day of November and the first day of May following, in each year, when, and as often as it shall be necessary so to do by reason of their accumulation or otherwise, or when required so to do by the City Commissioner or other City officer, or by a member of the police force, remove all snow and ice from the roofs of the premises owned or occupied by them respectively in the said City, such removal to be made in all cases without any unnecessary delay.

2. All owners and occupants of real property in the City of Kingston shall, from time to time, and at all times, when and so often as it shall be necessary so to do, remove and clear away all snow, ice, and dirt, and other obstructions from the sidewalks adjoining their respective properties, and if there be no sidewalks then from six feet of the street or alley adjoining and running alongside of their respective properties, such removal and clearing away to be made in all cases without any unnecessary delay.

3. It shall be lawful for this Council, in the case of vacant properties, the properties of non-residents, and of all other persons who, for twenty-four hours, neglect to clean the sidewalks and streets adjoining the same as aforesaid, to cause the removal and clearing away of all snow and ice and other obstructions from said sidewalks and streets at the expense of the said respective owners or occupants of the said properties, in case of their default, and in case of non-payment to charge such expense as a special assessment against such premises respectively, to be recovered in like manner as other municipal rates of the said City,

4. Every person having the charge of any church, chapel or other public building, shall, during the winter season, and during the time snow shall continue on the ground, keep the sidewalk or pavement in front of such building and of the lot in which it stands free from obstruction of snow, ice, dirt or other incumbrance, and shall at all other times keep such sidewalk or pavement clean and free from dirt and other incumbrances, and the provisions of section 3 of this By-law shall apply to every such case. Provided always that it shall be lawful instead of enforcing the provisions of section 3 of this By-law to proceed against any offender against this section, or the two immediately preceding sections, as for a breach of this By-law, and each day's default in the premises shall be considered a separate and distinct offence.

5. This By-law shall come in force and take effect on its passing.

No. 476.

**A By-Law Respecting Cab and Cart Stands, and Stands for
Vehicles Used for Hire.**

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The following stands are hereby authorized and assigned for cabs and other vehicles, licensed, used to carry persons for hire, and are the only stands authorized or assigned for such cabs and vehicles, that is to say,—

Number 1—On the east side of Ontario Street between Clarence Street and Brock Street.

Number 2—On the east side of Wellington Street between Clarence Street and St. George's Hall.

Number 3—On the south side of Clarence Street, from the westernmost gate-post of the Custom House gate to the easternmost gate-post of the Post Office gate, staked on the ground.

Number 4—On North side of Clarence Street, from Ontario Street westward to King Street.
entrance door to the office formerly occupied by R. J. Eilbeck, British American Hotel Buildings.

Number 5—On the north side of Clarence Street, from King Street to the west end of the Franco-Canadian Loan and Investment Society's Building.

2. That no such cabs or vehicles shall stand, or be placed to be hired, elsewhere in the City than upon one of the stands in the last preceding section mentioned, and any person standing, or placing any cab or vehicle to be hired, elsewhere in the City than upon one of the said stands shall be deemed to be guilty of a breach of this By-law.

3. The following stands are hereby authorized and assigned for carts and other vehicles, licensed, used to carry loads other than of persons for hire, and are the only stands authorized or assigned for such carts or vehicles, that is to say,—

Number 1—On part of the east side of Ontario Street, between Johnston Street and William Street, and extending from a post erected about forty feet from the south-west corner of Ontario and Johnston Streets, and thence along the east side of Ontario Street to William Street.

Number 2—On part of the south side of Queen Street, between Ontario Street and King Street as follows: Commencing at Ontario Street, thence along the south side of Queen Street to the coal sheds.

4. No such carts or vehicles shall be stood, or placed to be hired, elsewhere in the City than upon one of the said stands in the last preceding section mentioned, and any person standing, or placing any cart or vehicle to be hired, elsewhere in the City than upon one of the said last mentioned stands shall be deemed to be guilty of a breach of this By-law.

5. The horses attached, or belonging to all such cabs, carts and vehicles, shall be kept well and constantly in charge on the said stands respectively by their drivers, when not employed.

6. No person shall stand, or place for hire, upon any of the said stands, or elsewhere in the City, any cab, cart or vehicle, the owner of which has not a license as required by the By-law of the Board of Commissioners of Police of the City then in force.

7. This By-law shall come in force and take effect on its passing.

No. 477.

A By-Law Respecting Line Fences, Fences, and Fence Viewers.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The City Engineer, the City Commissioner, and the Clerk of the Public Markets of the City for the time being shall be the fence-viewers of the City, and shall be entitled to take and receive the following fees for their services, viz :

a. Two dollars each for every day's work under the Act of the Legislature of Ontario entitled, "An Act respecting line fences."

b. Two dollars each for every day's work under the Act of the Legislature of Ontario, entitled "An Act respecting pounds," including certificates and statements.

2. A lawful division fence and a lawful fence shall be of the height of at least four feet six inches, and shall be made and maintained by the person or persons by law responsible good and substantial fences, and satisfactory to the fence-viewers or a majority of them, and all such fences to be hereafter erected

shall be constructed of either of the following materials, namely, iron or other suitable metal, stone, brick or wood, or partly of all or any of the said materials, or of other good and proper materials approved of by the fence-viewers or a majority of them, and every such fence shall be kept at all times by the person or persons by law responsible in a good and substantial state of repair, to the satisfaction of the fence-viewers or a majority of them, and every such fence shall be so constructed as to prevent horses, cattle, sheep, goats, swine and geese to pass through it.

3. The owners of lands through which any open drain or water-course passes shall erect and keep up water gates where fences cross such drain or water-course, and no person shall obstruct any drain or water-course, or foul the same, by dead animals, filth or otherwise.

4. The Act and Amending Acts of the Legislature of Ontario respecting line fences, in force from time to time, shall continue and be applicable to this Municipality as to all matters not herein provided for.

5. This By-law shall come in force and take effect on its passing.

No. 478.

A By-Law Respecting Public Parks and Public Squares in the Nature of Parks.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The Committee on Parks shall have the care and custody of all the public parks now or hereafter belonging to or in possession of the City, subject to all such By-laws as may from time to time be passed by the said Council, but no more public civic

money of said City shall be expended thereon than shall be appropriated by the Council for that purpose.

2. A caretaker or caretakers shall be appointed to take charge of the said parks and keep the same in order.

3. Such caretaker or caretakers shall be appointed by the Council by resolution, shall be paid such salary as the Council may direct, and shall hold office during the pleasure of the Council.

4. Such caretaker or caretakers, except with the permission of said Council, shall not engage in any other or outside occupation, but shall devote his or their whole time, labor and services solely and exclusively to the duties of the office of caretaker

5. Every such caretaker shall be under the immediate supervision and control of the said Committee on Parks, and shall obey all such directions and perform all such duties as shall be given to or required of him by said Committee.

6. Each such caretaker while he holds office, shall, with the approval of the Police Commissioners, be an ordinary member of the police force of said City, and shall be sworn in as a constable for park purposes, but shall not exercise any of the duties of a constable outside the limits of the park, except in connection with an offence committed within said limits.

7. No extra salary shall be paid to any such caretaker for the performance of the duties of constable or as a member of such police force.

8. It shall be lawful for any police officer, constable, caretaker or other duly authorized person, to exclude and eject from the said public parks all drunken or filthy persons, vagrants, and notoriously bad characters, and to remove therefrom any person who is violating any By-law of the City Council or is uttering blasphemous or indecent language, or is committing any nuisance, or is guilty of any disorderly conduct therein.

9. No person on foot, when crossing any such park from street to street, or from one part of a street to another part, shall walk on the grass or sward of such park, but shall confine himself or

herself strictly to the foot paths and carriage drives therein laid out.

10. No person shall at any time walk on the grass or sward of any such park, when forbidden so to do by any caretaker or constable, or when otherwise properly notified.

11. No person shall walk, drive or ride into or upon any part of any such park, when forbidden so to do by any caretaker or constable, or when otherwise properly notified.

12. The right of prohibition, conferred by the last two preceding sections, shall not be exercised except by direction of the said Committee or when such prohibition is actually necessary for the due preservation of such park.

13. No person shall ride or drive any horse in or upon or through any such park at an immoderate rate, or so as to incommode or interfere with or endanger other persons frequenting the same.

14. No person shall ride or drive any animal or vehicle on any turf or green sward in any part of any such park, nor in any part thereof, other than in the roads set apart as carriage drives.

15. No person shall break in or train any horse in any such park.

16. No person shall tie up, fasten, or leave unattended, any horse or other animal in any such park.

17. Except when any such park is being repaired or improved, and by permission of the said Committee, no vehicles other than those intended for purposes of health or recreation shall be driven therein.

18. No person shall drive through any such park any cattle or other animals not in harness or attached to any vehicle.

19. No person, except in the like case of repairs or improvements, and with the like permission, shall dig or carry away any of the sward, gravel, earth, sand or turf, in or from any part of any such park.

20. No person, except in the like case of repairs or improve-

ments, and with the like permission, shall climb, break, peel, cut, deface, disfigure, pull up, remove, injure, or destroy, any trees, shrubs, flowers, plants, grass, buildings, fences, gates, seats, benches, locks, bolts, or any other City property whatsoever in any such park.

21. No person, except in the like case of repairs or improvements, and with the like permission, shall in any manner carry or cause to be carried or taken into any such park, any stone, dirt, earth or other material, or any filth or other offensive matter or substance whatsoever, and no person shall commit any nuisance in any such park.

22. No person shall suffer or permit any animal in his charge to deface, disfigure, injure or destroy any trees, shrubs, flowers, plants, grass, fences or any other City property in any such park.

23. No person shall shake or otherwise cleanse any carpet, floor or other cloth, rug, mat, mattress, bedding or clothing, in any such park.

24. No person shall cast, project or throw any stones, sticks, snowballs or other missiles within or into any such park, and no person shall play any game therein without the permission of the said Committee.

25. No person, except by permission of the said Committee, shall in any such park set fire to any shavings, chips, straw, or other matter, or make or light any fire or bon-fire, or set fire to or let off any fire-works, or fire off or discharge any gun, fowling piece or other firearms.

26. No pic-nic shall be held in any such park, except by permission of the said Committee, and no person shall litter any part of any such park with pieces of paper, food, rags or other refuse whatsoever.

27. No person shall expose for sale refreshments or any other articles whatsoever in any such park, without the permission of the said Committee.

28. No person shall expose in any such park, any table or device of any kind whatsoever, upon or by which any game of hazard or chance can be played, and no person shall play at any

such table or device, or at cards or any unlawful game, in any such park.

29. Provided always that the provisions of this By-law shall in all cases be subject to the provisions of any statute having force in said City, which shall expressly prohibit any of the offences hereby forbidden, and in case of a prosecution under any such statute for any such offence this By-law shall not apply.

30. The foregoing provisions shall apply to every public square in the nature of a park now or hereafter belonging to the City.

31. This By-law shall come in force and take effect on its passing.

No. 479.

A By-Law Respecting Injuries to Property and Notices.

Passed Wednesday, Nov. 1st, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. It shall not be lawful for any person without the consent of the owner thereof to deface any building, fence, telegraph or telephone pole or lamp-post or any private or other property by writing, printing, painting or posting thereon or attaching thereto printed, painted, written or other notices.

2. It shall not be lawful for any person without the consent of the owner thereof to pull down or deface any sign-board or writing, painted or printed notice lawfully affixed within the City.

3. Without lawful authority it shall not be lawful for any person to injure, remove or destroy any tree or shrub planted or preserved for shade or ornament in the City, and no person shall do so without such authority.

4. It shall not be lawful for any person to stick or fasten any placard, card, poster or advertisement to any building, gate, door, fence or wall without the permission of the owner or occupant of the premises.

5. This By-law shall come in force and take effect on its passing.

No. 480.

A By-Law Respecting Telegraph, Telephone and Electric Light Poles and Wires.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Unless when otherwise lawfully provided for by agreement or otherwise, telegraph, telephone and electric light poles shall be erected in the public streets and places in the city only in such a manner as the public right of travelling on, and user of, said streets and places shall not be interfered with, and not more than one row of such poles (counting those now erected), whether telegraph, telephone, or electric light, or the three combined, shall be erected on one and the same side of any public street or place without the leave of this Council, and such row of poles shall be placed where the City Council may direct. Provided that the poles of the fire-alarm telegraph shall be held to be telegraph poles within the meaning of this section.

2. Unless when otherwise lawfully provided for as aforesaid, the said telegraph, telephone and electric light poles shall not exceed forty feet in height from the surface of the street or place, they shall be of cedar or pine, straight and sound and perpendicular when placed, and kept perpendicular, and not less than six inches in diameter at the small end, and they shall be cleared of branches

and bark and well smoothed and rounded, and they shall be painted with two coats of paint by the companies or proprietors immediately upon being erected, and thereafter at least once every two years, with one coat of paint, and in such colours as the Council may desire. Provided that all poles now erected which have not been yet painted shall be painted with two coats as aforesaid immediately after the passing of this By-law, and shall thereafter be painted every two years as aforesaid by the companies or proprietors.

3. The lowest wire hung or attached to any of the said poles shall be at least twenty-two feet from the surface of the street or place beneath it at the lowest part of the said wire, and this section shall apply to poles and wires now erected.

4. Unless when otherwise provided as aforesaid the said poles shall be planted firmly and securely perpendicularly, their lower ends being not less than five feet beneath the surface of the street or place, and they shall be so maintained, and when broken or in disrepair they shall be renewed with sound poles, conforming to the requirements of this By-law and painted, as aforesaid.

5. None of the said wires shall cross or pass along any roof, except at a distance of two feet above the same, or be supported by or from any roof without leave of the owner.

6. No such pole shall be erected opposite the door of a dwelling house or shop in such a place or manner as that free access to and from such house or dwelling shall be impeded.

7. No person shall stick or fasten any sign boards, advertising boards, bills, posters, notices, papers, advertisements, or documents of any kind, printed, written, painted, marked or otherwise formed or executed to, or upon, or against any such pole, or paint or mark anything thereupon.

8. The provisions of this By-law, unless otherwise provided, shall also apply to every other kind of poles, including the poles which may be used for the purpose of conveying electricity in connection with the Electric Street Railway, that may be authorized by law to be erected in the public streets or places.

9. No person shall when, or in the course of erecting or repairing telegraph, telephone, electric light or other poles, or hanging, fixing or repairing telegraph, telephone, electric light or other wires or other apparatus, or making preparations therefor, cut down, cut, break, lop or injure any tree, shrub or sapling planted in any public street or place, or any branch or part thereof.

10. This By-law shall come in force and take effect on its passing.

No. 481.

A By-Law Respecting Public Morals.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. No person shall, within the city, sell or give intoxicating drink to a child under the age of fourteen years without the consent of the parent, master, or legal protector of such child.

2. No person shall place indecent placards, writing or pictures or drawings, on any walls or fences in the streets or public places within the city.

3. No person shall be guilty of profane swearing, or shall make use of obscene, blasphemous or grossly insulting language, or be guilty of any other immorality, indecency or vice within the city.

4. No person shall exhibit, or sell, or offer, or expose for sale, or have in his possession within the city for sale, any indecent or lewd book, paper, picture, plate, drawing, or other thing.

5. No person shall exhibit or perform any indecent, immoral or lewd play, performance or show, or give any indecent exhibition within the city, and the Mayor, Police Magistrate, or Chief

Constable, or any police-constable or peace officer, may prevent the same from being given, performed or exhibited.

6. No person shall make any indecent public exposure of his person within the city.

7. It shall not be lawful for any person to be found in any of the public streets, parks or places in the city indecently or insufficiently clothed or dressed, so as to cause any indecent public exposure of the person or indecent exhibition, and any person so found shall be deemed to be guilty of a breach of this By-law.

8. It shall not be lawful for any person to be found in any of the public streets, parks or places in the city, if a woman or girl, dressed as a man or boy, or if a man or boy, dressed as a woman or girl, or otherwise masked or disguised to conceal or facilitate the concealment of such person's identity, and any person so found shall be deemed to be guilty of a breach of this By-law.

9. No person shall keep or frequent a house of ill-fame or a disorderly house within the city, or in any manner contribute to the support of such house or of any inmate thereof, or voluntarily reside therein.

10. No person shall knowingly let any house or building within the city to be used as a house of ill-fame, or knowingly or wilfully permit any house of which he is the owner, trustee, lessee or agent, or otherwise controls, to be so used.

11. No person shall permit his house or other building within the city to be used, frequented or resorted to by disorderly or drunken persons, betting men, gamblers, vagrants, prostitutes, or other persons of bad character.

12. No person shall keep a gambling house within the city, or keep or use or permit to be kept or used, for the purpose of gambling, in any house, room or place, within the city, occupied by him, any faro bank, rouge et noir or roulette table, or any other device for gambling, or permit or allow any games of chance or hazard with dice, cards or other device, to be played for money, liquor, or other thing, within such house, room or other place, and no person shall permit any description of gambling, playing at cards, dice or other games of chance, or betting,

in any such house, room or place, and no person shall frequent any such house, room or place, or gambling house, or be therein for the purpose of gambling.

13. No person shall knowingly let any house or building within the city, or permit any house or building within the city of his, or of which he has charge or control, to be used as a gambling house or place wherein gambling or gaming is to be, or is, carried on, and no person shall sell or conduct the sale of any article or thing in any public street, square, park, or public market place by way of lottery, or gift sale (real or pretended), or in any way in which there is an element of gambling, or shall invite or induce any person to become a purchaser of any such article or thing offered for sale in such a manner, and no person shall place or exhibit for the purpose of gambling or gaming, any gambling or gaming board, table or apparatus, or other device for gambling or gaming in any public street, square, park, or place, or shall gamble or play games thereon or therewith in such public street, square, park, or place, or invite or induce other persons to gamble or play games thereon in such public street, square, park, or place.

14. The Mayor, Police Magistrate, or Chief Constable, or any police-constable or peace officer, may enter into any house, room or place within the city in which any faro bank, rouge et noir or roulette table, or other device for gambling may be kept or used for gambling, or in which gambling of any description may be carried on, and may arrest any person who shall be found therein, and seize and destroy all such faro banks, rouge et noir, roulette tables, and other devices for gambling as shall be found therein.

15. This By-law shall come in force and take effect on its passing.

No. 482.

**A By-Law Respecting Drink and Disorderly Persons,
Vagrants and Mendicants.**

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. It shall not be lawful for any person to be found drunk or fighting, or offering to fight, or quarreling or brawling or shouting, or otherwise disorderly, in any public street, highway, or public place in the said city.

2. All persons who shall be found drunk, or fighting, or offering to fight, or quarreling, brawling or shouting or otherwise disorderly, in any public street or highway or public place in the said city, shall immediately be taken into custody by any Police Constable, and shall be fined in such penalty, and dealt with in such manner as is authorized for a breach of this By-law.

3. All persons wandering abroad, or placing themselves in streets, public places, courts or passages, or going from door to door to beg or gather alms, or causing or procuring or encouraging any child or children so to do, or endeavoring by the exposure of wounds, diseases, or deformities, to effect the same purpose, and all persons imposing, or endeavoring to impose, upon persons or charitable institutions by any false or fraudulent representation, either verbally or in writing, with a view to obtain money or some other advantage or benefit, shall be deemed mendicants and street beggars within the true meaning and intent of this By-law.

4. If any drunken person, mendicant, or street beggar, as aforesaid, shall be found or seen acting as aforesaid, it shall be deemed an offence against this By-law, and it shall and may be lawful for any constable or any other person whomsoever without any warrant for that purpose to apprehend such person so found offending, and to carry and convey, or cause to be carried and conveyed, such person when so apprehended before the Police

Magistrate, or any other Justice of the Peace, of the said city, having jurisdiction, or to the police station, there to be kept until such person so apprehended can with all convenient speed be brought before the said Police Magistrate or Justice of the Peace.

5. When any drunken person, mendicant or street beggar, as aforesaid, shall be apprehended by any person or constable as aforesaid, and brought before the Police Magistrate, or any Justice of the peace as aforesaid, it shall and may be lawful for the said Police Magistrate or Justice to examine the person apprehended, and to take the evidence upon oath of any credible person as to the offence of drunkenness, mendicancy or street begging, as the case may be, alleged and charged against the person so apprehended ; and, if such offence be proved, such person shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly. Provided always that the Chief Constable of the City, or in his absence the officer in charge of the Police Station, when any person is brought to the said station on the charge of being drunk, without being disorderly, may in any such case, where it is as far as known to said officer a first or second arrest for such offence, release such person without bringing him before the Police Magistrate or a Justice of the Peace, if such person is capable, or as soon as he becomes capable, of going to his home.

6. Instead of proceeding under this By-law against any such drunken person, mendicant or street beggar, the Police Magistrate or other Justice having jurisdiction, may proceed against such drunken person, mendicant or street beggar, under any statute or law dealing with such persons.

7. It shall not be lawful for any person, in any public street or place, to importune another person for help or aid in money.

8. It shall not be lawful for any deformed or malformed or diseased person, to expose himself, or for any person to expose any deformed, or malformed, or diseased person, in the public streets or places, to excite sympathy, or induce help or assistance from general or public charity ; and every deformed, malformed, or diseased person, so exposed, contrary to this section, shall be immediately removed, or caused to be removed, by any officer of the

City Council or police constable, and in case of a repetition of the offence, any such deformed, or malformed or diseased person, and any person exposing such malformed, deformed or diseased person, may be forthwith arrested and taken into custody, to be brought before the Police Magistrate or other Justice as aforesaid, to be dealt with as for a breach of this By-law.

9. Provided that any person having a certificate signed within six months by a priest, clergyman, or minister of the gospel, or two Justices of the Peace residing in the said city, that he or she is a deserving object of charity, may beg and take alms in the said city, notwithstanding anything herein contained.

10. This By-law shall come in force, and take effect on its passing.

No. 483.

A By-Law Respecting Police.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. There shall be a Police Force established and maintained in and for the City.

2. A Police Office and Station is hereby established in and for the City of Kingston, and the present Police Office and Station, situate in the City Buildings, shall continue to be the Police Office and Station of the said City.

3. The Police cells, and the ante-room or day room thereto, now used in connection with the said Police Office and Station, shall also, from and after the passing of this By-law, be and constitute, and are hereby established, a Lock-up house for the said

city, and said Lock-up house shall be in charge of and under the management, regulation and control of the Board of Commissioners of Police of the said city in connection with the said Police Office and Station.

4. The persons detained in the said Police Office and Station, or in the said Lock-up house, from time to time, shall be in charge of the Police Force of the said city, under the regulations of the said Board of Commissioners of Police, made or to be made in that behalf. And no person shall hold any conversation, or have any communication by speech-signs, or by writing, or by letter or otherwise, or shall hand, or throw, or convey any liquor, tobacco, lights, matches, cigars, cigarettes, weapons, tools, implements, or any article or thing whatsoever to any person detained in the said Police Office and Station, or in the said Lock-up house, clandestinely or secretly, or otherwise, except through the medium, or with the permission of the Police authorities in charge, and any such article or thing given or conveyed as aforesaid, without the permission of the Police authorities in charge, or through them, to any person detained in the said Lock-up house or Police Office and Station, shall be destroyed or forfeited to the use of the public, as the said Board may determine.

5. The provisions of this By-law are subject to the provisions of the Municipal Act in that behalf.

6. This By-law shall come in force and take effect on its passing.

No. 484.

**A By-Law Respecting Public Works, Contracts, Labour,
and Supplies.**

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. No Mayor, or other member or members, or committee, of this Council, or officer thereof, shall order or contract, or assume to order or contract for any works to be done, or men, horses, vehicles or machines to be employed, or to purchase or procure any such, for, to, or in the name, or on behalf of, this Council or Corporation, unless such mayor or member or members or committee or officer be expressly authorized so to do by a resolution of this Council duly to be passed antecedent to any such ordering, contracting, employing or purchasing. Provided that nothing herein contained shall be held to prevent the mayor or other head of the Council for the time being, in case of emergency, and where the public interest or safety would be endangered by delay, or where the preservation or protection of the public property immediately requires it, to order, contract, employ or purchase as aforesaid, as may be absolutely necessary in the particular case, upon the requisition of a quorum of the proper committees according to the nature of the case; all such transactions to be reported to the next ensuing meeting of this Council. And provided that the Mayor or any committee, may, in case of emergency as aforesaid, order, contract, employ, or purchase as aforesaid to the extent of twenty dollars only.

2. All work and materials, labor and supplies beyond the value of twenty dollars, shall be contracted for on tender called for by public advertisement or posters and accepted by this Council by resolution duly to be passed. Provided that ordinary street cleaning, patching and materials therefor, may be ordered by the Streets Committee, within the limits of said Committee's appropriation, and provided further that the provisions of this By-law shall not apply to work required to be done in the City Parks within the Parks' appropriation when the amount to be expended by the Parks' Committee does not exceed sixty dollars, and no Ward appropriation, special or other appropriation, shall, in any case, be exceeded without the express authority of the City Council as aforesaid, and this Corporation shall not be liable for any such excess in the absence of such authorization by this Council.

3. This Corporation shall not be liable for, and shall not pay for any work, labour, materials, articles or supplies as aforesaid,

ordered, purchased, contracted for, or employed, contrary to the provisions of this By-law, and it shall be the duty of the City Engineer, and of every officer and member of this Council, upon learning that any of the said provisions has been infringed, immediately to report the same to the Mayor, or to this Council, and in the meantime to cause all action in such matter to be suspended ; and the said City Engineer shall keep a true account of all appropriations, and shall see that the same are not exceeded in any case, and shall forthwith report to this Council when each appropriation has been expended, and shall also stop immediately all work in connection with which such appropriation was made or granted.

4. Provided that, notwithstanding anything contained in the preceding sections of this By-law, it shall be lawful for this Council to directly employ the necessary labour and means to do any local improvement, works or services, instead of asking for tenders for the same and having the same done by contract, and said sections shall not apply to any local improvement, works or services so undertaken or done by this Council.

5. This By-law shall come in force, and take effect on its passing.

No. 483.

A By-Law Respecting the House of Industry.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The house and premises on Montreal Street, in this City, now occupied and used as a House of Industry, shall continue to be the House of Industry of the said City.

2. There shall be chosen annually, on the first Monday in February, in manner hereinafter mentioned, twelve Inspectors (six of whom shall be a quorum) to govern and manage the said House of Industry, under the rules and regulations for the proper management and discipline of the said Institution, and of the inmates and officers, to be adopted and approved of by the City Council of the said City from time to time.

3. The following Rules and Regulations are declared to be the Rules and Regulations for the government and management of the said House of Industry, and its inmates and officers :—

(a) INMATES.

1. Every applicant for admission to the House of Industry must present a ticket of admission from at least one Inspector of the Institution.

2. All applicants must disclose all the particulars concerning themselves required by the Institution, for entry in the Admission Book, kept by the Superintendent.

3. All inmates, who are able, shall rise at the ringing of the bell at six o'clock during the months of May, June, July, August and September, and at seven o'clock during the remainder of the year.

4. No inmate shall be allowed to sit down to meals without appearing clean and properly washed.

5. No profane or immoral language or conduct shall be permitted in the Institution. No smoking allowed in the dormitories, and no spirituous liquors allowed on the premises, without permission from a Medical Officer being given in writing.

6. The inmates who are able may attend their several places of worship on Sundays, but shall return to the House immediately after service, unless permission to the contrary has been obtained from the Superintendent.

7. All inmates are required to attend Divine Service connected with the denominations which they respectively profess to belong to, when held in the House, unless excused by the Superintendent.

8. Persons supported in this Institution shall perform any work they are required to do by the Superintendent or Committee when able so to do.

9. No inmate shall leave the Institution, expecting to return, without permission of the Superintendent.

10. Any inmate found in a state of intoxication shall be immediately reported by the Superintendent to the weekly Committee.

11. Any inmate violating any of the above rules for the first offence shall be reported in writing by the Superintendent to the weekly Committee; and for the second offence shall be subject to dismissal by the Superintendent, who shall report his action.

(b) OFFICERS.

1. The Officers of the said Institution shall consist of a Superintendent and a Matron, and any nurse or nurses which may be occasionally employed by the Board.

2. The Superintendent and Matron shall be appointed by the Board, and shall hold office during pleasure and reside in the Institution, and shall have free rations, lodging, fuel and light, and shall take charge of the provisions and stores, and administer the same to the inmates with care and without waste. They shall see that the inmates wash themselves regularly, and keep themselves and their clothes clean, and that the rooms and dormitories and bed clothes are regularly cleaned and kept clean, and they shall not absent themselves from the Institution without leave except on its business, and both shall not be absent at the same time; and they shall in all things obey the Board, and the member or members composing the Visiting Committee from time to time.

(c) PERSONS WHO ARE INELIGIBLE FOR ADMISSION TO THIS INSTITUTION.

1. Any former inmate who has been dismissed from the Institution for bad conduct, unless the Inspectors are satisfied as to reformation in character.

2. Persons who are depraved in their morals, and whose general character is bad.

3. All persons with contagious disorders, or who require constant medical treatment.

4. Four of the said Inspectors shall consist of the Mayor of the City for the time being, and three members of the City

Council, to be chosen by the said Council annually, on or before the first Monday in February in each year.

5. The remaining Inspectors shall be chosen as follows: The persons who shall be annual subscribers in aid of the funds of the said Institution, to the amount of four dollars per annum and upwards, shall, at a meeting to be held for the purpose annually on the first Monday of February in each year as aforesaid, of which meeting one week's public notice in the city daily newspapers shall be given, by the votes of a majority of such subscribers present at such meeting, select eight of the said subscribers as Inspectors, who with the other Inspectors, members of the said Council, shall form the Board of Inspectors of the said Institution.

6. The said Inspectors shall appoint one of themselves to be Secretary-Treasurer of the Institution.

7. The Institution shall be supported exclusively on its own proper income and revenue, out of which it shall also be kept in repair; and the Corporation of the City of Kingston shall not be liable to any person whomsoever, for, or on account of, any salaries, supplies, repairs, or any other matter or thing connected with the said Institution or its management.

8. A Committee, consisting of two of the Inspectors in rotation, shall visit the Institution and superintend its internal affairs, including the admission of inmates, on Wednesday in each week.

9. This By-law shall come in force and take effect on its passing.

No. 486.

A By-Law Respecting the Court of Revision.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The Court of Revision shall not have power to remit or reduce the taxes due by any person, unless the petition for such remission or reduction is presented not later than the month of December in the year for which such taxes are imposed, and all such remissions and reductions shall be made by the Court of Revision in the year in which such taxes are imposed, and not otherwise.

2. This By-law shall come in force and take effect on its passing.

No. 487.

A By-Law Respecting Streets.

Passed Monday, Nov. 27th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. No person shall ride or drive any horse or horses, or other beasts, through any of the public streets, squares, wharves or thoroughfares of the City at an immoderate rate, nor shall suffer the same to run or remain loose or at large, nor to stand in any public street or place without being sufficiently secured or tied, to prevent their running away.

2. No person riding or driving any horse or horses, or other beasts, shall race with any other horse or other team, or seek or

try to pass the same at an immoderate or dangerous pace, or gallop any horse or other team in any public street or place.

3. No person shall lead, ride or drive, propel, push or draw any horse or vehicle, cutter, sleigh, sled, hand-cart or wheelbarrow, bicycle, tricycle or velocipede, or any cart, waggon or carriage wheel, or any cattle on any public sidewalk or boulevard of the City, except at the entrance to a gateway in crossing such sidewalk to pass through such gateway, nor shall suffer the same to remain thereon, and no person shall place or fasten any horse or horses in such a way so that the reins shall form an obstacle to the free use of the sidewalk, or keep any horse or vehicle standing upon any public crossway for foot passengers over any street or thoroughfare. Provided that nothing in this section contained shall apply to children's carriages.

4. No person shall place, operate or run, in any public street, any road engine, steam traction engine, or steam motor, without leave of this Council having been first obtained.

5. No person shall place, or cause to be placed, any cask, barrel, hogshead, puncheon, box, basket, package, bale, furniture waggon, cart or other vehicle without horses, wood, stone, brick, plank, boards, or other obstruction, article or thing whatsoever in or upon any public street, place, pavement or sidewalk or boulevard in the city, except when any such article is being actually moved or transported across or along such street or place, or across a sidewalk or pavement, and except as in this By-law is provided.

6. No person shall expose or display any goods, wares or merchandise, in or upon any public sidewalk, street or place, or allow any such goods, wares or merchandise belonging to him, or in his possession or charge, to remain in or upon any public sidewalk, street or place longer than may be necessary to load or unload the same, or except when any such goods, wares or merchandise are actually being moved or transported across or along any such sidewalk, street or place, and no person shall allow to remain in or upon any such sidewalk, street or place, any barrel, crate, box or other thing containing, or supporting, or suspending, or intended to contain, support or suspend any goods, wares

or merchandise belonging to him, or in his possession, or charge or by means of which any goods, wares or merchandise belonging to him or in his possession or charge, are exposed or displayed as aforesaid. Provided that articles for sale may be exposed by hanging the same up on the outside of the shops, on the walls or door jambs, or posts thereof; or by exposing the same in neatly painted moveable trays or shelves; to be approved of by the City Commissioner, to be attached for support to the outside of the shops, but all such articles shall be so hung up and fastened, so that the lowest part shall be not less than eighteen inches above the sidewalk, street or place, and all trays and shelves shall be placed or attached for support, as aforesaid, so that the bottoms shall be not less than eighteen inches above the sidewalk, street or place, and such articles as are so hung up and fastened, and such trays and shelves so placed or attached as aforesaid, shall in no case project into the street more than twelve inches, beyond the main or general line of the shop wall proper, and all such articles as are liable to be flapped or swayed or blown to and fro by the wind, shall be so securely fastened as to prevent this happening, and no such articles, or trays or shelves, shall be in any way supported from the sidewalk, street or place, and all such articles, trays and shelves, shall be removed into the shops every day before it becomes dark, and no such articles, trays or shelves shall be hung up, fastened, placed, attached or exposed, or put outside as aforesaid, on Sundays, and no articles shall be hung up, fastened or exposed outside of shops, or trays or shelves placed, attached or exposed outside of shops, in any public street or place as aforesaid, otherwise than is in this proviso permitted, and all persons hanging up, fastening or exposing articles, or placing, attaching or exposing trays or shelves outside of shops in any public street or place, or placed otherwise than is in this proviso permitted, shall be deemed to be guilty of a breach of this By-law and shall be liable to the penalties in such case provided.

7. Persons contravening the last preceding sections 5 and 6 shall remove the things placed on any such street or sidewalk, or boulevard therefrom, forthwith on notice by any officer of this Council or member of the police force.

8. No person shall place, or cause or permit to be placed, any materials for building, or to be used in any building, on any public pavement, sidewalk, boulevard or crossing of the City, and every person engaged in erecting or repairing any house shall keep and maintain strong and sufficient scaffolding to prevent injury to foot passengers, with its supports so placed that as little obstruction to traffic as possible shall take place, and also shall keep and maintain all openings or excavations sufficiently fenced and lighted and secured to prevent any such injury, and shall during the time of erection of any such building, cover the pavement or planking on the sidewalk, and also the boulevard with good and sufficient planks to protect the same from injury, or take such other precautions for the preservation thereof as the City Engineer shall direct.

9. No person shall occupy with building materials more than one-half of the public street of the City, whether there be one contractor or more than one contractor engaged in the erection of the building (and in case of buildings being erected opposite each other, not more than one-third of the street on each side shall be occupied), nor shall such building materials be placed in front of any adjoining house, building or premises, but only opposite the side of the building being erected or repaired, and then only during such time as may be indispensably necessary from time to time for carrying on or completing the work.

10. Before so placing any such building materials or excavating any earth or stone in any public street or place every person about to build, or contractor, or master workman concerned in the building or work, who shall desire to occupy a part of the public street or place with building materials as aforesaid, or to make an excavation in or adjoining any public street or place, shall before so doing notify the City Engineer of such his intention, and with two sureties enter into a bond to the Corporation of the City as is hereinafter provided, in which bond shall be stated the time during which such street may be occupied.

11. From and after the passing of this By-law any person intending to open or enlarge or repair a drain, or make an excavation, or lay down building materials in or obstruct in any way in connection therewith, or with any building or other work a

public street or highway, or public square or public place of this City, or erect scaffolding, or gangways, or poles, cranes or hoists, or other obstruction therein, shall before so doing enter into a bond to this Corporation with a condition according to the form following, with two good and sufficient sureties, the said person in five hundred dollars, and the said sureties in two hundred and fifty dollars each, and said condition may be adapted to each particular case by such change in the phraseology thereof as may be necessary, and no person, unless he or she has with his or her sureties as aforesaid duly entered into the bond as aforesaid, conditioned as aforesaid, shall proceed to open or make, enlarge or repair a drain, or make an excavation, or lay down any building materials in or obstruct in any way in connection therewith, or with any building or other work any public street or highway, or public square or public place of this City, or erect any scaffolding or gangways or poles, cranes or hoists, or other obstruction therein, and it shall be the duty of the City Engineer to prepare such bond and procure its due execution by the proper parties in each case, and unless the conditions above mentioned have been duly complied with it shall be unlawful for any person to do any of the matters or things hereinbefore mentioned in any public street or highway, or public square, or public place of the City, and any permission to do the same which may have been granted to any such person shall be of none effect, and shall so remain until such bond have been duly entered into, and the City Engineer shall be responsible to this Council for seeing that this and the three next preceding sections of this By-law are duly observed and enforced in all cases. Provided that in unimportant cases the Mayor may by written minute dispense with the bond aforesaid or lessen the amount of the penalty.

FORM OF BOND REFERRED TO IN ABOVE SECTION.

Know all men by these presents that we
of the City of Kingston, in the Province of Ontario,
of the same place,
and of the
same place, are held and firmly bound unto the Corporation of the City of Kingston in the penal sum of one thousand

dollars of the lawful money of Canada in manner following, that is to say, the said _____ in the sum of five hundred dollars, and the said _____ and _____ in the sum of two hundred and fifty dollars each, to be paid to the said the Corporation of the City of Kingston, or their certain attorney, successors or assigns, for which payment to be well and truly made, we severally bind ourselves, our heirs, executors and administrators firmly by these presents sealed with our seals.

Dated this _____ day of _____ 18 _____

Whereas the above bounden _____ is about to _____ in _____ street, in the said City of Kingston, now the condition of the above obligation is such that if the said _____ his executors, administrators, and assigns, do and shall at all times, well and truly, and in a good, sufficient and careful manner guard, fence, light and protect the said _____ and provide sufficiently and carefully for the safety and protection of the public and their property in respect to the said _____ and do and shall at all times maintain and keep the said _____ in such good and sufficient and carefully protected state, and so guarded, lighted, fenced and protected as aforesaid, and also provide sufficiently for the protection and safety of the public and their property until *(such drain or excavation has been completed, and the same duly covered in and filled up, and the said street has been restored to its former and usual state, or until the said building materials have been used or entirely removed from the said street, together with all erections or constructions in the said street connected with the work, such as receptacles for lime, water and mortar, scaffolding and other things have also been entirely removed, and the said street restored to its former and usual state)*, and also if the above bounded _____ his executors, administrators and assigns do and shall prosecute the work so that the same shall be finished within _____ from the date hereof, and also shall not occupy at any time a greater part of the street than is authorized by this By-law, and also do and shall without delay, on the completion of the works, restore the said street to its former state of repair, and so maintain the said part in repair for six months thereafter, and efficiently re-

pair, replace, and make good the boardwalks and sidewalks in the said street which may have been injured, broken or removed during the course of the work, and also do and shall at the completion of said repairs remove all debris, together with the materials used for fencing and protection, and also if the said his heirs, executors and administrators, do, and shall at all times, well and truly, save harmless and indemnify the said the Corporation of the City of Kingston and their successors and assigns off, from and against all and every action and actions, suits, proceedings, losses, damages, demands, claims and costs which may be brought or prosecuted against the said the Corporation of the City of Kingston, or their successors, or which they or either of them may feel called upon to pay, or which may be recovered against them or either of them for or on account of or by reason of any injury or damage sustained by any person, or by the property of any person, or for or on account of or by reason of any damage or injury done to the said street, or the said boardwalks or sidewalks in consequence of or connected with, or arising from the *(opening or making of any such drain or excavation, in or the laying down of such building materials in or obstructing in connection therewith the said street, or in consequence of or in connection with any building or other work being there erected or done, or in consequence of or arising from the acts or negligence of the said*

his employees, executors, administrators or assigns in or in connection with any such work) and also do, and shall, well and truly reimburse on demand to the said the Corporation of the City of Kingston, or their successors, all such outlays, losses, damages, payments and costs as aforesaid. Then the above obligation to be void, otherwise to be and remain in full force, effect and virtue.

Signed, sealed and delivered } [L.S.]
in presence of } [L.S.]
 } [L.S.]

12. On default being made in the observance of any part of the said condition of said bond, this Corporation besides the remedy on the said bond, shall be at liberty to take such other proceedings, summary or otherwise, as they may be advised, or as they may be entitled to take.

13. Hereafter, subject to any provisions contained in this By-law, it shall not be necessary to obtain the permission of the Council to lay down building materials or to make a drain, or do other necessary work in the streets in this Municipality, but in lieu thereof the party intending to do so shall previously give a written notice of his or her intention to the City Engineer, and enter into a bond as above provided.

14. The building materials, stones or earth, to be placed in any public street or place as aforesaid, shall be enclosed, if required by the City Engineer or Chairman of the Committee on Streets, with a strong and sufficient fence at least four feet high, to enclose such materials and protect the public during the necessary period they are required to be used about any house or erection, or to remain in such street or place, which fence is to be made to the satisfaction of the City Engineer, and no wood or stone, or earth, or other material, shall be placed in the street for such house or erection, except within the limits of the said fence.

15. Hereafter no cut stone or lumber shall be manufactured in the public streets or thoroughfares, but the same shall be dressed either on some part of the lot or premises to be built upon, or previously prepared by the contractor, or master workman on his own premises.

16. Every person who, in the excavations of any cellar, area, drain, pit or well, may deposit the stones, earth or rubbish therefrom on the public street, shall remove the same as fast as the same is dug out or excavated, or on notice from any officer of the City Council, or of the police force, and in case of any excavation in or near a public street, place or thoroughfare, shall at night, except in clear moonlight, sufficiently light, and keep the same provided with a light, and shall also enclose or secure the same from the commencement to the completion by a fence sufficient to protect the public from injury, and no person shall leave unlighted as aforesaid, uncovered, uninclosed or unfenced, any cellar, area, drain or other excavation whatsoever, whether now or hereafter to be made upon any lot or parcel of ground, whether occupied or unoccupied, near any public street

or thoroughfare, or in or upon any public street, place or thoroughfare, so as to endanger the safety of passengers.

17. All persons and corporations having occasion to dig or excavate in any public street, sidewalk, or place in the City, shall forthwith, when such digging or excavating is completed, re-lay, re-make and restore the part of the street, sidewalk or place so disturbed, so that it will be in as good a condition as it was in before such digging or excavating took place, and shall keep such part in repair for a period of six months thereafter, in default whereof this Council may do the work at the expense of the person or corporation so making default, and recover such expense from such person or corporation under the provisions of the By-law, and of the Municipal Act in that behalf, or may proceed against such person as for a breach of this By-law, every week's default to constitute a separate offence.

18. Every owner or occupant of a house, or proprietor of an unoccupied house, having cellars or areas adjoining on any public street, place or thoroughfare, shall secure and maintain such openings with strong and sufficient trap-doors, or iron gratings, on a level with a foot pavement or regular sidewalk, and subject to the inspection and approval of the City Engineer, and all such doors and openings shall be kept shut except for immediate use, and while in use, and that use shall be only by day-light, and all such doors and openings shall, while open, be in charge of some intelligent person to warn passers by.

19. Hereafter no cellar or other door or area whatsoever shall be constructed in or across any sidewalk or public street or place. Provided that it shall be lawful to construct cellar windows which shall not encroach upon the sidewalk or street more than twenty-four inches beyond the line of the house to which they belong; provided that the same shall at all times be covered with a strong and substantial iron grating, and it shall also be lawful, on permission first had from the City Council, to place circular gratings not to exceed eighteen inches in diameter on the sidewalks, and level with the surface, but all persons making or placing such cellar windows or gratings shall give a bond of indemnity, with sureties to the said Corporation as aforesaid, with a penalty and a condition suitable to the case.

19a. The iron grating to be placed over cellar windows in the streets as required by Section 19 of this By-law, shall be of uniform pattern, and shall be made of cast or wrought iron, and shall be in accordance with the specification and drawing made for the same by the City Engineer, and in his office. Provided that in cases where there are already substantial wrought iron gratings satisfactory to the City Engineer they shall be allowed to remain; and provided further that all wooden gratings, and all iron or other gratings unsatisfactory to the City Engineer, shall be forthwith removed by the owners or occupants of the premises to which they belong, and be by such owners or occupants replaced with cast or wrought iron gratings as aforesaid, to the satisfaction of the City Engineer, and a notice requiring the removal of said wooden and unsatisfactory iron or other gratings, and the replacing of the same with said cast or wrought iron gratings shall be served in each case on the person or persons concerned, and hereafter no wooden gratings or gratings other than such cast or wrought iron gratings as aforesaid shall be used to cover any cellar window in the streets, and any person failing to obey and observe the provisions of this Section 19a shall be deemed to be guilty of a breach of this By-law and shall be dealt with accordingly.

20. No person shall excavate for any drain in any of the public streets or squares of the City, without first having, with his sureties, entered into a bond to the said Corporation as aforesaid, and having also first paid one year's rent in advance for the use of the drain to be entered, according to the provisions of the By-law relating to sewers and drains, and no excavation shall be begun (or if begun such excavation may be stopped by any member or officer of the City Council) until the said conditions have all been complied with.

21. No person shall cart, carry or transport sand, stones, dirt, manure, rubbish, or any loose fluid or semi-fluid material across or over any public street, or square, or place, in any cart, waggon or other vehicle, in such a manner that any portion of the load may or shall spill, fall, or be scattered on the street, nor shall any person draw any timber or any other heavy article so

that the same, or the end or other part of the same, shall drag on any public street, place or sidewalk.

22. The owner, occupant or person in possession of every house or building, or occupied lot, shall cause the sidewalk opposite his house, building, yard and garden attached to be properly swept and cleaned, and if any such house or yard and garden attached should form the corner of two streets, the sidewalks on both streets shall be so swept and cleaned.

22a. No person shall use an axe, an iron, steel or metal spade, hoe or shovel, or any iron, steel or metal implement, in removing the snow or ice from any granolithic or artificial stone or asphalt sidewalk in the City, or throw or cast any heavy substance on any such sidewalk, and, notwithstanding anything contained in this By-law, no person shall scatter, place or sprinkle any salt, brine or salt pickle, ashes, on any such sidewalk, and any person so doing shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

23. No person shall break or train horses, run or assist at or take part in horse races, or races by men on foot, play at any game of shinty, or ball, cricket or lacrosse, or at any game or sport with a ball or otherwise, or fly a kite, or play at quoits, or use any bow and arrow or catapult, or play at pitch and toss, or throw any hammer, bar, shot, bullet, stone, snow-ball or other missile in any of the public streets or sidewalks of the City.

24. No person shall set, urge on, or encourage dogs to fight in any public street, square or place in the City.

25. No person shall kill or slaughter any animal in any public street, square, or public place in the City.

26. No person shall throw any dirt, filth, ashes, cinders, slops, refuse or other castaway matter, or thing, or carcasses of animals, or rubbish in or upon any public street, sidewalk, boulevard, crossing, road, lane or highway. Provided always, that the sprinkling of ashes or salt on slippery places on the wooden sidewalks, for the purpose of preventing pedestrians from slipping, shall not be deemed an infraction of this By-law.

27. No person shall scatter or throw in or upon any public street, sidewalk, boulevard or place, or shall stick or fasten upon any such sidewalks, any bills, hand-bills, dodgers, notices or advertisements, printed or written, and no person shall print or otherwise make any letters, or device, on any public sidewalk. Provided always, that nothing in this section contained shall be held to prevent merchants and others from distributing among farmers and other persons attending public market hand-bills, dodgers, notices and advertisements, but no person distributing the same shall throw or place, or let fall and leave the same upon the ground in the said market.

28. No person shall put, place, or throw any fog signals, explosive bombs, or other explosive thing or matter, on or upon any street or other railway track in any public street or place, or on or upon any public street or place.

29. No person shall set fire to kindle or burn any brush, straw, chips, shavings or other matter, in any public street or place.

30. No person shall pile cordwood or firewood, or cast, or saw any timber, lumber or other wood, or deposit coal or charcoal in or upon any public sidewalk, boulevard, street or place in the City, or otherwise obstruct the same. Provided that fuel, wood and coal, and charcoal, may be deposited in the street opposite to the premises occupied by the person to whom the same is being delivered, but not on the sidewalk or boulevard, and all such wood, coal and charcoal shall be forthwith removed by such occupant to his premises. Provided always that fuel wood may remain a reasonable time for the purpose of being sawed, but shall be piled on the street close to the sidewalk.

31. No person shall obstruct any public sidewalk, boulevard, street or place by placing ladders or other obstructions across or in the same, except in cases of building, repairs, or fire.

32. No person shall put any stud horse, or bull, or boar, or other male domestic animal to cover a mare, cow, sow, or other female domestic animal in any public street, square, lane or place in the City.

33. No person shall sing ballads or songs, or do any other

thing or act, in any public street, square, sidewalk, boulevard or place in the City, in such a manner or wise as to attract a crowd and obstruct the thoroughfare. Provided that this section is subject to the provisions of the clauses of this By-law relating to licensed auctioneers.

34. No person shall play an organ or other musical instrument in any public street or place before the hour of nine o'clock in the forenoon, or after the hour of six o'clock in the afternoon, or so as to attract a crowd. Provided that this section shall not apply to bands of music attached to processions, or going to or returning from excursions, or playing in the parks, or in any public square, or to any military bands.

35. No person shall dig up or remove in or from any public street, park, square, lane, alley or place in the City any turf, sod, earth, stones, gravel or grass.

36. No person shall sprinkle, spread or place salt brine, pickle or other like substance, or salt mixed with water, or other liquid, or anything to melt snow or ice, on any public sidewalk or street, or place, with the intent and for the purpose of dissolving any snow, ice or dirt, or otherwise. Provided that salt and ashes may be sprinkled on slippery places on the wooden sidewalks to prevent pedestrians from slipping.

37. No person shall pour or throw any water or other liquid upon any public street, place, boulevard, pavement or sidewalk, (except clean water for sprinkling and cooling purposes in the summer time, between the month of May and the month of November following.)

38. No person shall make or use any ice or snow slide in or upon any public street, boulevard, or sidewalk in the City, or skate upon any boulevard or sidewalk.

39. No person shall coast or ride rapidly down any declivity in any public street, boulevard or sidewalk in the City, in or upon any costing or other like sleigh, or sled, or in or upon any toboggan, or in or upon any other vehicle or thing, or rapidly push any such down any such declivity.

40. No person shall cast or throw into any of the drain or sewer gates, or into any drain or sewer in the City any wood, stones, dirt, rubbish, earth, refuse, night soil, urine, or filth of any kind, or other substance or thing which may obstruct or injure the same, or be injurious to health, or offensive to the public, or contrary to cleanliness. Provided that nothing in this section contained shall affect the ordinary and proper use of drains.

41. No person who is in charge of or driving any cattle, or other animal, in the public streets or place of the City, shall allow the said cattle or other animals to loiter or stop to graze or feed in such public streets or places.

42. No person shall stand his horse or team and vehicle across any public street or thoroughfare, except when unloading, and shall then keep as close to the sidewalk as possible.

43. Teams, by which grain and produce or other articles are being delivered, shall not obstruct or block up the public street, but shall be ranged close to the sidewalk in single file, and shall be retired when unloaded.

44. The Act of the Legislature of Ontario, intituled "An Act to Regulate the Travelling on Public Highways and Bridges," (Revised Statutes of Ontario, 1887, Chapter one hundred and ninety-five) shall further regulate the driving and riding of horses and other cattle, and the conveyance of traffic in the public streets and thoroughfares of the City.

45. No person shall perform or practice rope-walking or other gymnastic or athletic feats, or assist at the same, in any public street, square, or place in the City.

46. No person shall have, hold or exhibit, any show or exhibition of any kind whatsoever, or have or hold any dramatic or musical performance or other entertainment in any public street square or place in the City, or erect or place for the same in any such public street, square or place, any booths, tents or other construction or erection of any kind whatsoever, and all such booths, tents, constructions or erections shall be forthwith removed by the offender, and, on his default in removing the same forthwith, the same may be removed by this Council, and such

offender shall be liable to the penalty provided for a breach of this By-law.

47. Persons shall not stand in a group or near to each other in any public street or sidewalk in such a manner as to obstruct a free passage for foot passengers after a request to move on made by any police officer, police constable or any officer of the City Council, and no person shall crowd or jostle other foot passengers on any public street or sidewalk or place so as to cause discomfort, disturbance, or confusion.

48. No person shall in any public street or place in the City importune another to travel in or employ any vessel or vehicle, or go to any tavern or boarding house.

49. No person shall occupy or use any public street, square, lane, alley, sidewalk, boulevard or place in the City, or any part of such to erect or place any booth, platform, table, stand or structure therein for the purpose of exposing for sale any fish, provisions, goods, or articles of any kind (except as authorized by the clauses of the By-law relating to the public markets) without the permission of the City Council first obtained, and any such booth, platform, table, stand or structure for which no such permission has been obtained shall be forthwith removed by the person who has erected or placed the same, and on his default may be removed by this Council, and such person shall be liable to the penalty provided for a breach of this By-law. Provided that notwithstanding anything in this section contained, the Mayor, or in his absence, the Chairman of the Committee on Streets, may from time to time grant leave to persons of good character, to keep fruit and candy stands in the public streets at such places as he shall determine, but so as not to obstruct or incommode the public traffic, and any such leave may be at any time withdrawn by this Council.

50. No person shall encumber any public street, square, alley, lane, or other public communication by erecting, constructing, placing or continuing any verandah, portico, terrace, door, doorstep, porch, stairs, ladder, landing, railing, fence, wall, house, building or other erection, obstruction or encumbrance projecting into or over, or being in any such public street, boulevard,

square, alley, lane, or other public communication in the City, and any person so doing and the owner and occupant of any real property having a verandah, portico, terrace, door, doorstep, porch, stairs, ladder, landing, railing, fence, wall, house, building, or other erection or obstruction projecting into or over or being in any public street, square, alley, lane or other public communication in the City shall forthwith remove the same upon being notified so to do by any officer of the City Council, and upon his default this Council may remove the same at the expense of such owner or occupant under the provisions of the By-law and of the Municipal Act in that behalf, or such owner or occupant may be prosecuted as for a breach of this By-law, each week's default being considered a separate offence, or this Council may resort to any other remedy provided by law.

51. From and after the passing of this By-law no person shall erect along any public street, place or thoroughfare, in the City of Kingston, any barbed wire fence or fence partly constructed of barbed wire, within one foot of any such street, place or thoroughfare, without the same time masking or covering with wooden slats or laths of sufficient thickness and breadth the wires on the side of the fence next the street, place or thoroughfare, the said slats or laths to be removed as often as may be necessary.

52. All barbed wire fences and fences partly constructed of barbed wire, heretofore erected in the City, within one foot from any street, place or thoroughfare, the wires of which have not been dealt with on the street, place or thoroughfare side, in the manner aforesaid, shall upon the passing of this By-law be forthwith masked or covered with wooden slats or laths, of the description aforesaid, on the street, place and thoroughfare, side, by the owner or occupant of the property fenced, on pain of the penalties hereinafter provided for a breach of this By-law, of which such owner or occupant, on his or her refusal, or neglect to comply with the provisions of this Section shall be deemed guilty.

53. The foregoing provisions of this By-law shall apply to fences constructed wholly or in part of barbed wire,

54. From and after the passing of this By-law no person shall erect along or across any boulevard in the City, any barbed wire fence, or barbed wire or wires, and all such fences or wires already erected shall be forthwith, on the passing of this By-law, removed by the owner or occupant of the premises to which such boulevard is attached or adjoining, upon being notified to do so by any officer of the Corporation or police constable, and upon the refusal or neglect of such owner or occupant to remove the said fences and wires, the same may be removed by such officer or constable, and such owner or occupant shall be deemed for such refusal or neglect to be guilty of a breach of this By-law and shall be dealt with accordingly. Provided that nothing in this Section contained shall be held or construed as authorizing or sanctioning the erection of any other kind of fence, or any wooden or other rails, along or across any boulevard in the City.

55. It shall not be lawful for any locomotive, or railway car, or truck, or railway train, to obstruct public traffic or endanger persons or property passing the same by exposing teams to the danger of being frightened by standing in or across any public street or thoroughfare, and no person shall blow any steam whistle on any locomotive in any public street or thoroughfare, and the person or persons in charge of such locomotive, railway car, truck or train, occupying a position or doing anything contrary to the provisions of this section, may be made amenable under this By-law and prosecuted as for a breach thereof.

56. No person shall remove, or cause to be removed, or assist in removing, any building into, along or across any street, boulevard or sidewalk in the City, without first having obtained the permission of the City Council, and complied with such conditions as said Council imposed, and without having given a proper bond of indemnity to this Corporation with a suitable condition and penalty.

57. No person shall drive any description of sleigh or other vehicle on runners in the public streets, or places, or thoroughfares in the City, without having two or more bells affixed to the horse or other animal drawing the same, of a size and sound to give sufficient notice of the approach of the sleigh or other vehicle.

58. All bicycles, tricycles and velocipedes used, driven or ridden in any public street or place of the City, shall be provided with a bell or bells, or a horn, and at night with a lighted lamp to warn pedestrians, and so prevent accidents, and no person shall use, drive or ride a bicycle, tricycle or velocipede upon any public sidewalk, boulevard, or pavement in the City.

59. No merchant, shop-keeper, tradesman, mechanic or other person shall sweep, or suffer to be swept any dirt, rubbish or sweepings out of any shop, store or dwelling, on or across any sidewalk or boulevard, or into any street, to allow the same to remain there.

60. No person shall break, or injure, or deface any of the boardwalks, sidewalks, crossings, flaggings, curbstones or grates in the public streets, squares, places or slips in the City or displace or remove the same, or any plank, sleeper, board, stone or other part thereof, without permission from the City Engineer or Surveyor, subject always to the action of this Council, and no person shall injure or damage any awning, post or other erection legally placed in any public street, square, place or slip, and no person shall take up, or remove, or shift, any sidewalk for the purpose of forming a boulevard or other purpose, without the leave of this Council.

61. No person shall erect or continue erected any sign, awning, horse or other post or horse-block, or plant any tree, or erect or continue erected any awning in any public street, square or place without permission from this Council, nor shall any person erect any awning-post, or post for fastening horses to, or horse block, except the same is made in conformity with the pattern to be furnished by the City Engineer or Surveyor, and all signs and awnings shall be elevated at least seven feet six inches above the surface of the sidewalk or pavement beneath them, measuring from the lowest fringe or edge of such awning or sign. And no person shall erect or continue erected, or use any awning of wood or other material except of cloth, with an iron frame in or over any public street, place or sidewalk in the City, and such awning shall not be supported by any posts or supports, resting in or upon the street, place or sidewalk, but shall be supported by and from the wall of the house or building

to which it belongs or is attached, and no such support shall be attached to such wall at a point lower than eight feet above the part of the sidewalk, above which the awning is placed, and any person who erects, or continues erected, or uses any awning constructed or placed, or supported contrary to the foregoing provisions, or who refuses to remove or alter the same in accordance with the said provisions when notified so to do by any officer of this Council or police constable, shall be deemed guilty of a breach of this By-law, and shall be prosecuted accordingly, and each forty-eight hours default in the premises shall be held to constitute a separate offence.

62. No person shall place or erect, or permit, or suffer to be placed or erected, or continue any sign post, window frames or sills, balcony, ornament or fixture of any kind whatsoever, which shall project more than one foot off and from any building or wall or section into a public street or place, or over any public sidewalk.

63. It shall be lawful, subject as hereinafter provided, for the City Council at any time after giving one week's notice, to order the removal by the offender of any sign, sign post, or other post or trees, or of any window frame or sills, balconies, ornaments or fixtures, now or hereafter found projecting more than one foot as aforesaid, and of any swinging sign, now or hereafter found projecting more than two feet six inches off or from any building or wall or erection, into a public street or place, or over any public sidewalk, or which shall be less than seven feet six inches from its lowest edge above the street or sidewalk over which it is suspended.

64. Provided that it shall and may be lawful for any person desirous of erecting a swinging sign to do so on obtaining permission from this Council, without which such sign shall not be erected, but such sign shall not project more than two feet six inches into the street or over any sidewalk, and that the same shall be elevated not less than seven feet six inches above the surface of the sidewalk or pavement beneath it.

65. No person shall erect, hang out, or suspend or maintain, or continue erected, hung out, or suspend in, over, or project-

ing into any public street, sidewalk or place in the City, any streamer, flag or banner, cloth or paper sign, or device, except on Her Majesty's Birthday, Dominion Day, or any other lawfully authorized holiday, except Sunday.

66. The owner or occupant of every house or building adjoining any public street, square or place within the City, shall provide the same with and maintain and keep thereon light eave-troughs, and water spouts, by which the water shall be conveyed from the roof of such house or building to the house or street drain, all such pipes as are now placed or erected shall be within one month after the passing of this By-law in like manner conducted to the house or street drain, by and at the cost of the owners, or occupiers, or agents of the owners, of the houses or buildings to which such pipes belong or appertain.

67. No person shall use for the conveyance of articles of burden, goods, wares or merchandise exceeding one thousand pounds in weight within the City, any waggon or vehicle drawn by one or more horses or other animals, the wheels of which are three and a half feet in diameter or over, unless the tire and edge of the rim of such wheels are at least three inches in width, or any such waggon or other vehicle, the wheels whereof are less than three and a half feet in diameter, unless the tire and edge of the rim of such wheels are at least four inches in width.

68. Every person before fencing, or building, or rebuilding, on his property along any public street or place shall obtain the correct line of the street opposite to and bounding such property from a legally qualified Provincial land surveyor, and the said person shall file in the City Engineer's office sketch plans and data of the lines so given from time to time.

69. Any person employing the said surveyor under the preceding section shall pay him for each property, the line opposite which he has given, the sum of two dollars, which he will be entitled to receive and take to his own use, and said fee shall be his whole and only remuneration for services to be rendered under the preceding section.

70. Wherever the name of any public street or highway within the City is changed by By-law, and whenever any public street or

highway is opened up, widened, diverted or extended, such By-law shall be forthwith registered in the Registry Office for deeds in and for the City.

71. All By-laws heretofore passed for changing the names of any public streets or highways within the City, or for opening up, widening, diverting or extending any public street or highway within the City, which have not been registered, shall be forthwith registered in the said Registry Office.

72. The City Clerk shall prepare the duplicate originals of said By-laws and seal and certify the same, and also the certified copies of the said By-laws as may be required, to enable the same to be registered as aforesaid.

73. The City Council Committee on Streets shall from time to time as may be required, cause the name of every public street, avenue, or highway within the City to be affixed at the corners thereof (where the same has not already been done) in such number as to the said Committee shall seem meet.

74. It shall be the duty of the City Engineer to assist this Council in laying out and regulating the lines of all streets, wharves, slips and docks, and to survey all grounds required for the opening, widening or straightening of any street, road, avenue, or public square, and all grounds in the vicinity which may be assessed for the benefits and advantages of any such improvements.

75. It shall also be his duty to take and report the levels of all streets, lanes or avenues (when required) and to survey, take levels and make maps and profiles of all lots directed by this Council to be filled, reduced or levelled, and make accurate estimates of the filling, excavating and levelling or reducing, also to survey and measure all works done for this Council by contract or otherwise (when required) and to make estimates, statements and reports to this Council, and to make accurate and proper maps, profiles and diagrams of all surveys and works done, whenever the same may be required in relation to his duties and business by this Council, or any Committee hereof, and to keep a regular minute book, showing the services rendered under the several provisions of this By-law, and under any order or resolu-

tion of this Council, and to file all maps, surveys, levels and diagrams when completed in his office, after having numbered or otherwise properly designated the same, there to remain on record ; also to collect and keep in his office, such maps, surveys, instruments and documents as relate to the duties and office of City Engineer.

76. The City Engineer at all times shall exclusively devote his whole time to the work of this Council or the duties of his office, and he shall not perform any work for private persons so long as the Council shall require his service.

77. In all cases where improvements are to be made in any of the streets within the City, either by excavating, filling, pitching, levelling, forming, paving or flagging, it shall be the duty of the City Engineer (previous to the commencement of the said improvement) to submit to the City Council a profile, showing the depth and height of excavating and filling (if any) in front of each and every lot which may be affected by said improvement, also cross section profiles, showing the width of carriage way, height of curb-stones above the gutter, arch of street, depth of sand or ashes, and width of sidewalk and the level, elevation or depression of opposite gutters, as the case may be, and it shall further be his duty to accompany said profiles with a map exhibiting the number of feet and inches of front, and depth of each and every lot with the name or names of the owners thereof, if the same can be ascertained by him, which profiles and maps shall be referred to this Council and afterwards filed in his office.

78. If any building hereafter to be erected shall project beyond the range of the street so laid down as aforesaid, the person erecting the same shall within three days after notice is given to him by the City Engineer or other City officer, remove the said building to the range so laid down as aforesaid, and every twenty-four hours, that the said building shall be continued beyond such range after notice shall be deemed a separate offence against this By-law.

79. It shall be the duty of the said City Engineer to give notice to the parties offending, and to the Mayor or Chairman of the Committee of this Council on Streets, of any obstructions or

nuisance existing or accruing in the public streets, squares, places or slips of the City, contrary to the provisions of this or any other By-law or to law, in order to the immediate removal and abatement of the same, and to the punishment of the offender.

80. It shall not be lawful for any person to disturb, hinder, molest or illtreat the said City Engineer, or any City officer, or member of the police force, in the performance of any lawful order, or of his duty under this By-law.

81. This By-law shall come in force, and take effect on its passing.

No. 488.

A By-Law Respecting Common Sewers and the Annual Rent or Sewer Rate for the Use of the Same.

Passed Monday, Dec. 11th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The owners and occupiers of all properties abutting on any public streets or places in which common sewers have been constructed, who have heretofore paid the charges required by the City By-laws hitherto in force from time to time to be paid for the privilege of using such common sewers, shall and may continue to use the same free of any further charge for the number of feet frontage for which they have so paid.

2. When any such property is situated on the corner at the intersection of a street, lane or alley, with another street, or lane, or alley, in each of which streets, lanes and alleys, there is a common sewer, the frontage of the longest side or front of the property shall be the frontage on which the rental hereby imposed shall be computed, though drained into any one of the sewers,

and if drained into both of the sewers the frontage for said rent shall be the frontage of the shortest side of the property, and a part of the frontage of the longest side equal in length to the shortest side, and provided further that the frontage upon which the annual rental shall be based shall be the external length of the wall of the building or buildings drained, or if there are no building or buildings of the lot drained, and provided further that when the frontage of the said building or buildings is extended, or increased, or when any additional building or buildings is or are erected, and the original or another connecting drain is used to drain such extension or additional building or buildings into the common sewer, an annual rental, based on such increased frontage as provided in the provisions of this By-law, shall be imposed and collected under the provisions of this By-law.

3. The properties, grounds, yards, cellars and vacant lots, abutting on any public street in this City, through which a common sewer has been constructed or may be hereafter constructed, and which are opposite to such common sewer, shall each be drained into such common sewer by the owner or occupier who shall pay the proper rate or rental in the case according to Schedule A of this By-law, and shall be, with their said properties, subject to the provisions of this By-law as to rent and otherwise. Provided that this section shall not apply to such properties, grounds, yards, cellars and vacant lots, as may have been already otherwise efficiently drained in the opinion of the City Engineer, and provided further that on default of compliance within a reasonable time, after the passing of this By-law, with this section by any such owner or occupier, this Council may proceed to make the necessary connecting drains and assess such owner or occupier with the cost thereof, and collect the said cost in the manner provided for the collection of the cost of the work in the By-law, and in the provisions of the Municipal Act in that behalf, and the properties so drained, and the owners and occupiers thereof, shall also be subject and liable to the annual rent in this By-law provided in the case, and provided further that instead of making such connecting drains this Council may proceed against the person in default as for a breach of this By-law, every fortnight's default being considered a separate and distinct offence.

4. It shall and may be lawful for this Council to construct common sewers and drains in such parts of the said City as they may deem necessary for sanitary purposes, and for the use of such sewers or drains when constructed an annual rental may be charged and imposed under the terms and provisions of this By-law.

5. No person shall excavate for, make, or construct any sewer or drain, in or through any public street or place wherein a common sewer shall have been constructed, unless to enter the said common sewer for the purpose of draining property abutting on said street, subject to the provisions of this By-law, except by leave of this Council, and on such reasonable terms and conditions as this Council may determine.

6. No person shall excavate for, make, or construct or open up any sewer or drain in any public street or place, or enter or let or connect any such sewer or drain into or with any common sewer without first obtaining leave from this Council, and entering with sureties into a bond as provided by the By-law relating to streets, and filing in the office of the City Engineer a plan and section of the said sewer or drain, and of its connection with the common sewer, together with its level and the level of the cellar, place, lot or ground drained, and the level of the common sewer at the place where it is entered, and the Mayor, or any Alderman, or any City Officer, may cause any work or thing being done contrary to the provisions of this section to be immediately stopped, and the person who is doing the same, or who has done the same, to be prosecuted as for a breach of this By-law. This Section to be also subject to the provisions hereinafter contained relating to branch drains.

7. This Council may order any excavation, sewer, or drain, done, made or opened up contrary to the provisions of the last preceding section of this By-law, to be filled in and stopped up by the offender, and upon his default this Council may fill in and stop up the same at the offender's expense, to be recovered from him under the provisions of the By-law and of the Municipal Act in that behalf.

8. All private sewers or drains to be constructed to communi-

cate with the said common sewers shall be constructed and so communicate in such manner, and at such parts thereof as the Streets Committee of this Council, or the City Engineer, shall direct and appoint, and the owners or occupants of property entering or connecting such sewers or drains into or with any common sewers to drain such property, shall with their properties respectively be liable to the proper annual rent imposed in the case by this By-law, as set forth in the said Schedule A. This Section to be also subject to the provisions hereinafter contained relating to branch drains.

9. Sewers or drains in streets in which there is no common sewer may be let into common sewers, and any such sewer, so to be let into common sewers, shall not be used to drain premises having a front on a street in which there is a common sewer, and such first mentioned sewers or drains shall be so let into common sewers in such manner and form as this Council or the Committee on Streets shall direct and appoint, and the owners and occupiers, as the case may be, of the properties drained into such first mentioned sewers or drains, and through them such common sewers shall be charged with, and shall pay an annual rental of five cents or three cents per foot frontage (as the case may be according to the size of the common sewer) of their respective properties so drained, as provided in Clause *c* of said Schedule A, subject as aforesaid.

10. No person shall commit damage or injury to any common sewer, or to any private sewer or drain, communicating therewith.

11. The owner or occupier of any property so drained, or to be drained into, any common sewer, may commute for the payment of the annual rent hereinbefore mentioned, and set forth in the said Schedule A, and chargeable in the case, by payment of a sum equal to ten times the amount of the annual rent commuted, together with all arrears of said rent.

12. It shall be the duty of the City Engineer, on the first day of January in each year, to furnish to the City Treasurer a statement in writing of all common sewers or drains which have been constructed by this Corporation during the preceding year, showing the names of the streets or places in which such sewers have

been constructed, the extent and cost of such sewers, the size of the internal section of such sewers at intervals of a block, the name of the owners or occupiers as the case may be of the properties fronting on such streets, on each side, indicating any change of ownership or occupation since the sewers were respectively made, and the frontage of each of such properties and such further information as may be required by this Council.

13. The said City Engineer shall, at the same time, furnish similar statements in writing to the said City Treasurer of the names of the owners or occupants of any property draining the same into any common sewer, with the frontages of their respective properties, and the size of the internal section of the sewer so drained into, where entered, and the date of its being entered by such persons respectively.

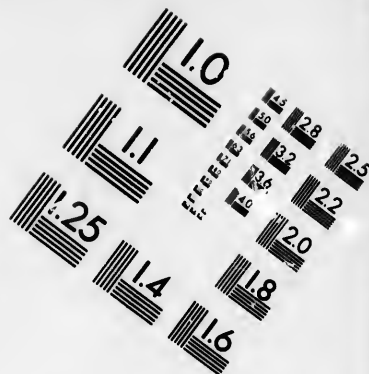
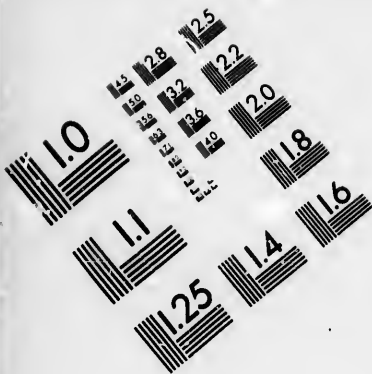
14. Sometime in the month of January next, after the passing of this By-law, and in the month of January in each and every year thereafter, it shall be the duty of the City Treasurer to make out separate rolls of the annual rentals due for the use of the common sewers in each ward of the said City, by the owners or the occupiers of property therein, in the form contained in Schedule B to this By-law, and to cause such rolls to be delivered to the City Collector.

15. It shall be the duty of the said Collector to demand payment from each and every person whose name shall appear on the said rolls, of the sum or sums payable by him, her or them, according to the said rolls, by leaving at his, her or their place of abode or business, as the case may be, a bill of the same in the form set forth in said Schedule B, and calling at least once thereafter for the same.

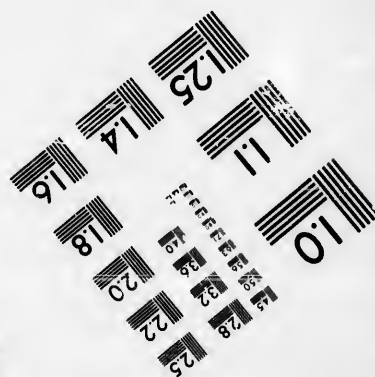
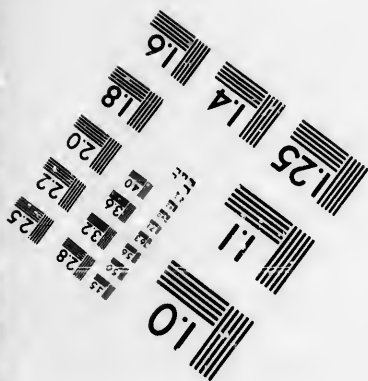
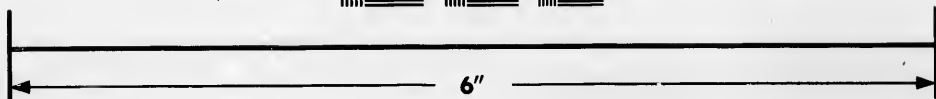
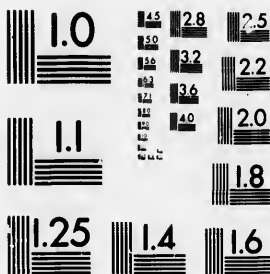
16. In case any of the parties so liable as aforesaid shall refuse or neglect, for fourteen days after demand made, as in the last preceding section is provided, to pay such annual rental, the said Collector shall forthwith collect the amount in default in the same manner as ordinary taxes upon real estate are collected, under the provisions of the Assessment Act.

17. When a main sewer is made in a public street or place by





**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
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Corporation**

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

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or at the cost of private persons, or under Section 612, Sub-Section 4 of the Municipal Act, a sole and final charge of twenty-five cents per foot of the frontage of each of the properties of the persons making it or drained into or by the same, shall be made and payable before breaking ground, as a charge for breaking up and disturbing the street, and shall be chargeable to the owners or occupiers of such properties, and such sewer shall be a public common sewer, if adopted by this Council, and shall be entered and used by leave of this Council thereafter, and a charge shall be made each time thereafter the said sewer is entered by a private drain of the same amount and kind to the owner or occupier of the property drained by such private drain, and such property, if such owner or occupier had contributed to the expense of such main sewer otherwise an annual rental as provided in said Schedule A, Clauses *a* or *b* as the case may be, may be charged to such owner or occupier and the property so drained. Provided if such a sewer is drained into a common sewer an annual rental shall be charged as in Clause *c* of said Schedule A, to the persons and their properties who contribute to the expense of such main sewer.

18. When any sewer is made as in the preceding Section mentioned falls into disrepair, and is repaired by this Corporation, the persons who made it neglecting upon reasonable notice to repair it, it shall forthwith become and be a public common sewer and the owners and occupiers of properties drained, or which may be drained into it, shall, with the said properties, be subject to an annual rent as provided in Clause *c* of said Schedule A, payable and collectable as aforesaid.

19. This Council may adopt any sewer in a public street or place made by or at the cost of private persons as a public common sewer, or part of one, and thereafter all persons, owners or occupants of properties drained, or which may be drained into or by the said sewer, (except the persons at whose cost it was made and their said properties), and their said properties shall be subject to an annual rent as herein provided in Schedule A, Clauses *a* or *b* as the case may be, payable and collectable as aforesaid.

20. This Council may assist private persons to make a com-

mon sewer, and in such a case such sewer shall be a public common sewer, and the owners and occupiers of properties drained into or by such sewer, with such properties shall, if contributors to the cost of such sewer respectively, be subject to an annual rent as provided in Clause *c* of said Schedule A, payable and collectable as aforesaid, otherwise they shall be respectively subject to an annual rent as provided in Clauses *a* or *b* as the case may be of said Schedule A, payable and collectable as aforesaid.

21. It shall not be lawful to drain one tenement or property into another, and thence to the common sewer, but each shall be drained directly into the common sewer opposite, independently, and any person permitting a property to be drained through his property or private drain into the common sewer shall be liable as for a breach of this By-law; and shall be dealt with accordingly, and shall also be liable with his property for the proper annual rent as herein provided, and if such first mentioned property had been directly drained into the common sewer. Provided that this Council may permit the non-observance of this section when necessary or advisable, the proper payment of the annual rent being secured and paid without default.

22. When the owners or occupiers of adjoining properties drain them through a common drain, or through the other property into a common sewer, such owners or occupiers shall be liable to the same extent as if each property was drained independently into such sewer by a separate drain.

23. Upon any person commuting for the annual rent a certificate under the hands of the Mayor and City Treasurer shall be given such person, stating the amount of the commutation money, the name of the person, and the property as to which such commutation has been made, and the Treasurer shall keep a record of all such commutations, with full particulars thereof.

24. This Council may, in its discretion, and for what it may deem a sufficient reason, relieve any person from draining into a common sewer upon such person petitioning this Council to be so relieved, and entering into an undertaking to pay the proper annual rent as herein provided, but this section shall not apply where drainage is required on sanitary grounds.

25. Whereas by Section 343 of the Municipal Act all sewer rents and charges for work and services done by the Corporation in default of the owners of real estate, under the provisions of any valid By-law, shall form a lien and charge upon the real estate upon or in respect of which the same shall be charged, and shall be collected in the same manner and with the like remedies as ordinary taxes upon real estate are collectable under the provisions of the Assessment Act, and it shall be the duty of the City Treasurer, on the first day of January in each year, to prepare a roll of the arrears of such rent and charges, with full particulars concerning the same, and the usual description of the properties in respect of which such arrears are due, and to keep the said rolls on file in his office for the inspection of all persons whom it may concern, and such lien and charge shall be enforced and satisfied in the manner provided in said Section 343 of the said Act.

BRANCH DRAINS.

26. All branch drains hereafter constructed from houses and lots, in this City, for the purpose of draining the same into the common sewer in the street, shall be constructed by men approved of by the City Engineer, and the work of constructing said branch drains, and the material used in the construction of the same, shall be subject to the approval of the City Engineer before being used; and no such material shall be used without such approval, or which has been condemned by the City Engineer; and the City Engineer, the Inspector of Plumbing, or other person appointed by the City Engineer, shall have the right to examine all such branch drains, and to see that the proper and approved description of tile are used, and that suitable traps are put in, and that the joints are all properly made, and a proper grade maintained. And no drain shall be filled in until the same is inspected and approved by the City Engineer, or Inspector of Plumbing, or some person deputed by the City Engineer to examine the same.

27. Before excavating in any street the person intending to excavate, when taking out the bond required in that behalf, must deposit the sum of \$10.00 with the City Treasurer as a guarantee that he will restore the street surface to as good a state of repair as before the excavation was made, and in the

event of this being done the excavation may be proceeded with, and if a certificate is given by the City Engineer on its completion, to the effect that the surface is so restored to his satisfaction, the amount deposited will be returned; but if the surface is not so restored, and if the person making the excavation neglects to make the necessary repairs forthwith, after due notification, then the City will be at liberty to use the amount deposited, or as much of it as may be necessary, to make the necessary repairs for the proper restoration of the surface.

28. That hereafter, when any branch drain is laid in any street, the person for whom the drain is made shall have a sketch plan made to scale, showing the position of said branch drain, together with any traps or fixtures on it, and shall file the same in the office of the City Engineer.

29. That in future no entrance into a tile sewer will be allowed except at a junction, and no person will be allowed to cut into any main tile for the purpose of entering a sewer, except on permission of the City Engineer, and under his supervision.

30. That in case any person is desirous of excavating under a granolithic, asphalt or other permanent sidewalk, a deposit of \$25.00 in case of a granolithic, and \$20.00 in case of an asphalt walk, must be made in addition to the \$10.00 for excavating in the street, and these deposits may be used by the City to replace said walks if they are disturbed by the said excavation, but if not so needed or so much thereof as may not be needed shall be returned to the persons making the same; all work to be done under the supervision of the City Engineer.

31. This By-law shall come in force and take effect on its passing.

SCHEDULE A.

(a) The annual rent per foot for every foot of frontage of a property drained into a common sewer where the sewer has been made at the public expense, and is 2 feet by $1\frac{1}{2}$ feet or over at its largest interior sectional area, shall be the sum of ten cents per foot.

(b) If the sewer is made under 2 feet by $1\frac{1}{2}$ feet at its largest interior sectional area, the said annual rent per foot frontage as aforesaid shall be the sum of six cents per foot.

(c) Where the sewer has been repaired or enlarged at the public expense, or has been made partly at the public expense and partly by private persons, the said annual rent per foot frontage as aforesaid, shall be half the above rates per foot according to the size of the sewer.

(d) Where the sewer entered has been made by private persons, a sole and final charge of 25 cents per foot of the frontage of the properties drained by it shall be made and be payable before breaking ground, as a charge for breaking ground and disturbing the street, but if the sewer is adopted as a common sewer by the City Council, the charge shall be made under Clauses *a* or *b* as the case may be, to all except those who had contributed to the cost of the sewer.

(e) When a sewer is made by or at the expense of private persons a charge of 25 cents per foot of the frontage of properties to be drained into it, or by it, for breaking ground and disturbing the street, shall in each case be made and be payable before breaking ground.

(f) Provided that where a drain already made, and in connection with which the annual rent has been regularly paid, or in connection with which the regular charge for frontage was paid at the time of its making, is opened up for the purpose of cleansing, removing an obstruction, or deepening the same, the frontage or charge for breaking ground and disturbing the street shall be calculated on the length of the excavation in the street and not on the frontage of the building or property drained.

SCHEDULE B.

| Progressive No. | No. House. | No. of Lot or other description of the Property. | NAME OF OWNER OR OCCUPANT. | Street. | Address. | Frontage in feet. | Rate per foot of annual rent. | Total amount of annual rent payable. | Computation for annual rent. | REMARKS. |
|-----------------|------------|--|----------------------------|---------|----------|-------------------|-------------------------------|--------------------------------------|------------------------------|----------|
| | | | | | | | | | | |

Kingston 18 I hereby demand payment of the above sum. Collector.

SCHEDULE C.

| Progressive No. | House No. | No. of Lot or other description of the property. | Name of Owner or Occupier. | Street. | Address. | Amount and Description of Work Done. | Cost of Work. | Assessment for Work. |
|-----------------|-----------|--|----------------------------|---------|----------|--------------------------------------|---------------|----------------------|
| | | | | | | | | |

Kingston,

18

I hereby demand payment of the above sum.

City Treasurer.

No. 489.

**A By-Law Respecting the Impounding of Cattle and other
Animals, and Pounds and Pound-keepers.**

Passed Monday, Dec. 11th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. A public common pound is hereby formed, erected, and established, on the following described site, in and for the City of Kingston, the property of Mrs. Mary Mills, that is to say: Commencing on the north side of Earl Street, at its intersection with the division line between the old House of Industry property, now owned by one Robert Keyes, and the property of the said Mary Mills, thence north along said division line one hundred and four feet, thence paralld with Earl Street thirty-six feet, thence south paralld with said division line one hundred and four feet to Earl Street, thence west along Earl Street thirty-six feet to the place of beginning; and said pound shall be a public common pound for the said City, for the safe keeping of such animals as it may be the duty of the pound keeper in charge of the said pound, to impound therein, or that may be impounded therein by law under the laws and By-laws relating to pounds.

2. The pound now formed, erected and established on the following described site, that is to say: Commencing at the north-west gate post of the rear entrance into the new House of Industry grounds, thence northerly along a board fence forty-five feet, thence easterly along a board fence forty-six feet, thence southerly forty-eight feet to the north east angle of a small building used as a latrine in connection with the said House of Industry, then along the north side of said small building and in its course produced thirty-six feet to the place of beginning, with a right of way from Patrick Street by the present road leading through said gate, shall continue to be a public common pound for the safe keeping of such animals as it may be the duty of the pound keeper in charge of said pound, to impound

City Treasurer.

I hereby demand payment of the above sum.

18

Kingston,

therein, or that may be impounded therein, by law under the laws and By-laws relating to pounds.

3. John Patterson is hereby appointed pound keeper of the said first mentioned pound, with all the duties, rights, privileges, and emoluments appertaining or attached to said office.

4. Anthony English is hereby appointed pound keeper of the said secondly mentioned pound, with all the duties, rights, privileges and emoluments appertaining or attached to said office.

5. From and after the passing of this By-law it shall be unlawful for any cows, oxen, or other cattle, horses, mules, asses, swine, goats, sheep, geese, or other poultry, to run at large in any part of the City of Kingston, and no person shall allow any of the said animals belonging to him or of which he has the charge or possession to run at large in any part of the said City, and the owners or persons having charge or possession of these animals, who allow the same to run at large in any part of the City, shall be deemed to be guilty of a breach of this By-law, and shall be liable to the penalties therefor provided.

6. It shall be lawful for and the duty of the High Bailiff, or any Police Constable or any Officer, of the said City, to take, drive and impound any cows, oxen, or other cattle, horses, mules, asses, swine, goats, sheep, geese, or other poultry, found running at large in the City contrary to this By-law, in any common pound of the City, and to pursue, follow and take such cows, oxen, or other cattle, horses, mules, asses, swine, sheep, geese, or other poultry, into any lot, yard or building into which the same may run or enter, and the same shall remain impounded until payment is made of the fine and costs imposed upon their respective owners, or persons having the charge, or possessors thereof, and of the lawful fees and charges of the pound keeper or until a deposit of five dollars has been made with the pound keeper against such fine, cost, fees and charges; and no person shall assault, oppose, impede, hinder, insult or obstruct any such officer in the execution of his duties aforesaid, and no person shall rescue or retake or attempt to rescue or retake from the person in whose custody the same shall be any animal taken, distrained, or impounded under the provisions of this By-law.

7. Nothing herein contained shall prevent the impounding of any cows, oxen, or other cattle, horses, mules, asses, swine, goats, sheep, geese, or other poultry, found trespassing upon any private property or in the public parks, under and subject to the Statute in that behalf.

8. If no person shall appear to claim any animal impounded within three days after the impounding thereof, and to pay such fine and costs as may have been imposed (if any) in the case, and all lawful poundage fees and charges for the taking or impounding and keeping of the same, and all lawful costs and damages that may be established against the owner of the said animal, or give satisfactory security to the pound keeper therefor, and for the lawful charges of the fence-viewers (if any) then and in such case it shall and may be lawful, after he shall have given public notice of the sale, such notice to be printed or written or partly printed and partly written, and to be affixed and continued for three clear successive days in at least three public places in the City, of which the City Hall shall be one, and advertise said notice in a city newspaper once, such notice to specify the time and place when such impounded animal shall be sold, if it is not sooner replevied or redeemed; for the pound keeper to sell the said animal at public auction, and after deducting from the proceeds of the sale such fine and costs (if any) and lawful poundage fees and charges for the taking and impounding of the said animal and keeping the same and all lawful costs and damages that may be established against the owner of the said animals (such damages not to exceed \$20), and also all the lawful charges of fence-viewers (if any) and the lawful expenses of the sale and attending the same, besides the cost of advertising, the surplus, if any, shall be paid over to the owner of the said animal if he claims it within three months after the sale, and if he fails to claim such surplus within the said time, the same shall be paid to the City Treasurer for the use of the Municipality. Provided that no pig or poultry shall be sold till after four clear days, nor any horse, mule, ass, or other cattle till after eight clear days, from the time of impounding the same.

9. The owners and possessors, or persons in charge of cows, oxen, or other cattle, horses, mules, asses, goats, sheep, swine,

geese, or other poultry, allowing the same to be or to run at large in any part of the said City shall be deemed to be guilty of a breach of this By-law, and shall upon conviction, forfeit and pay the following penalties with costs, respectively, besides and in addition to the lawful fees and charges of the pound keeper, and besides any damage caused by the said animals to property, and all lawful costs and all lawful charges of fence-viewers (if any) and expense of the animal's keeping, and of the sale (if any), and of attending the same, that is to say: For each horse, mule, ass, bull, ox, cow, heifer, steer, goat, sheep, or pig, the penalty to be imposed shall be not less than one dollar nor more than ten dollars in the discretion of the convicting Justice; for each calf, fifty cents; for each goose or turkey, ten cents; for each head of other poultry, ten cents; which penalties shall be recoverable with costs as provided by law; and any person laying and prosecuting the information which leads to the conviction for a breach of any of the said provisions of this By-law shall be entitled to receive and shall be paid one moiety of the fine recovered, and his full costs, or such moiety and costs, may be paid to such other person as to the convicting Justice seems proper, the other moiety of the fine to go to the City.

10. It shall be the duty of the pound-keepers and their assistants to impound any of the animals aforementioned, found running at large in the said City, and the fees to the pound keeper for so impounding the same shall be as follows, that is to say: For each horse, mule, ass, bull, ox, cow, heifer, steer and pig, one dollar; for each goat or sheep, fifty cents; for each calf, or lamb, twenty-five cents; for each head of geese, or other poultry, ten cents; and a like sum for each day after the first that any of the said animals shall remain in the pound, besides the amount of any damages which may have been committed, and the costs of the keeping of such animals while in the pound, and the other lawful costs, charges, and expenses, mentioned in Section 8 of this By-law.

11. The pound-keeper shall be entitled to demand and receive from the owners or possessors of animals impounded the following charges for the daily food of the same, namely: For horses, mules, asses, cattle and swine, the sum of twenty cents each per

day ; for geese and other poultry, the sum of two cents per day ; for sheep, goats, calves and lambs, the sum of ten cents per day ; and the food furnished shall be in sufficient quantity and wholesome, and the animals shall be regularly furnished with as much good water to drink as they require.

12. The provisions of the Act entitled " An Act Respecting Pounds," Revised Statutes of Ontario, (1887), Chapter 215, shall be in force in the City of Kingston, except where the same are varied by the provisions contained in this By-law, and shall apply and govern in all cases not provided for by this By-law, and also in all cases where damage has been done to private property, the damage shall be ascertained under the provisions of the said Act respecting pounds, but the fines and penalties, and fees and charges of pound-keepers, shall be as in this By-law is provided.

13. Nothing contained in this By-law shall be held to prevent the driving of horses, mules, asses, cows, oxen, cattle, goats, sheep, swine, geese, or poultry, through the public streets, provided the same be in sufficient and competent charge, and are not allowed to stop or loiter by the way ; but no person shall drive or lead through any public street or place any stallion, bull, boar, ram or he goat, unless such animal is thoroughly secured from getting loose by strong bridles, halters, reins, ropes, or other sufficient means, held by the driver or person in charge.

14. This By-law shall come in force and take effect on its passing.

No. 490.

A By-Law Respecting the Harbour.

Passed Monday, Dec. 15th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. It shall be the duty of the Harbour Master, or his assistant, and he is hereby authorized and empowered to direct that all vessels, craft or floats, arriving in the harbour of the City of Kingston, be placed in their turn in such manner, in regard to anchoring, mooring, loading, unloading, change of place or station, moving or shifting, use of harbour, or extent of accommodation, as he shall think fit, with a view to their speedy loading, unloading or accomplishment of such other purposes as may have caused them to enter the harbour, as also to the general convenience and safety of all vessels, craft or floats coming into, remaining in, or going out of the harbour. Provided always that in the selection of berths or moorings a vessel with cargo shall have precedence of a vessel light or in ballast, and that nothing herein contained shall interfere with the private right of the proprietor, or lessee of a wharf, to moor his vessel, craft or float thereat, in such a manner as not to obstruct the public use or navigation of the harbour or the slips.

2. Vessels laden with wood, sand, stone, lime and produce, to be sold or transhipped at the City, shall in all cases have the preference over other vessels at the slips near the water's edge in arriving at and remaining in said slips, but no vessel of any description shall, during the winter, occupy any of the slips with which there is communication with any of the streets practicable for a team and sleigh, and no vessel, craft or float shall be moored or anchored within the harbour, or in any slip or dock, so as to prevent or obstruct the passage of any other vessel, craft or float.

3. Whenever there shall be in the harbour any vessel, craft or float insecurely fastened, adrift, sunken, or laid up, not in use, which may require to be fastened, raised, removed, or its location

changed, it shall be the duty of the Harbour Master, or his assistant, to notify the owner, master or other person who may be in charge thereof, to secure, raise or remove such vessel, craft or float, without delay; but if the Harbour Master or his assistant shall be unable to find the master, owner, or person in charge of such vessel, craft or float as aforesaid, or if no person answering such description can be found by him or them, such notice shall not be required, and any person who shall refuse or neglect to comply with such order or direction shall be guilty of a breach of this By-law for every day he or they shall refuse or neglect to observe the same, and shall be liable to punishment accordingly.

4. If any vessel, craft or float shall not be secured, raised, removed, or its location changed, in compliance with the direction of the Harbour Master, or his assistant, after notice, or if the Harbour Master, or his assistant, shall be unable to serve such notice as aforesaid, in either case it shall be his and their duty to, cause such vessel, craft or float to be secured, raised, removed or its location changed as aforesaid, employing such assistance as may be necessary for the purpose. All expenses which may be incurred in any case shall be recoverable of the owner, master, or other person having charge of such vessel, craft or float, and the same expenses shall be summarily recovered under the provisions of the By-law in that behalf, in accordance with the Municipal Act; and if any person shall resist the Harbour Master, his assistants, or any person acting under him or them in the execution of such duty, or of any duty imposed upon him or them by this By-law, such person so resisting shall be guilty of a breach of this By-law and punishable accordingly.

5. No vessel, craft, or float shall be anchored or moored across the entrance to any dock or slip, nor shall any vessel, craft, or float be anchored or moored nearer than three hundred yards from any of the wharves opposite or nearest thereto, except when loading or unloading, or laid up at the owner's or consignee's wharf.

6. No master or person in charge of any vessel, craft or float shall be guilty of any unreasonable, unnecessary or vexatious

delay in loading, unloading, or moving the same, or in obeying the lawful orders of the Harbour Master, or his assistants, with respect thereto.

7. No person discharging the cargo of any vessel, craft or float, shall suffer any part of such cargo to remain projecting over the front of any wharf after such vessel, craft or float shall remove from the wharf.

8. It shall be lawful, when the circumstances in the opinion of the Harbour Master, or his assistant, render it necessary, for steamboats and other vessels to load and unload over the decks of each other respectively, and no person in charge of any such boat or vessel, shall, when thereunto required by the Harbour Master or his assistant, refuse to permit a person in charge of any other boat or vessel so to load or unload. Provided always that when necessary, in the opinion of the said Harbour Master or his assistant, the wharf and such boats or vessels shall be connected together with proper gangways, securely placed, and all necessary precautions shall be taken to prevent injury to the vessels so to be passed over.

9. All vessels using steam-power shall, while entering and on leaving the harbour, be moved slowly, at a speed not exceeding five miles per hour; and all sail vessels shall likewise be moved slowly, and under short sail, so as not in any case to endanger or injure other vessels or boats.

10. No master or other person, owning or having charge of any vessel, craft or float, shall leave the same in the harbour, without first providing some proper competent provision for managing and securing and looking after the same, except when the ice has become permanent in the harbour.

11. No master or person in charge of any vessel, craft or float, nor any other person whomsoever, shall fasten any hawser or other rope or chain across any part of the harbour, or in any slip, so as to obstruct the passage, except for express purpose of hauling in or out immediately, or for the purpose of hauling off a vessel, craft or float, aground, or for other necessary temporary purpose, and in such case, such master or person shall slack the hawser, rope or chain, in order to give free passage to any other vessel, craft or float that may require to pass.

12. No master or person in charge of any vessel, craft or float, to which any other vessel, craft or float, may be made fast by any rope, hawser or chain shall cast off, or cause to be cast off, any such rope, hawser or chain without giving notice to the master or person in charge of any such vessel, craft or float so made fast.

13. All vessels, crafts or floats, whether using steam or otherwise, while in the harbour, shall have and keep their anchors (not in use) on board, and over the rail; and all vessels, crafts and floats, while in the harbour, shall be securely fastened and shall not be permitted to drift or be adrift.

14. The master or person in charge of any vessel lying alongside the wharves, or adjoining any other vessel, shall cause her hatchways to be securely and completely covered with hatches, or gratings, or otherwise protected, immediately after the work of loading or unloading, as the case may be, shall have been finished for the time, and shall cause the same to remain so covered until the time when the work again begins.

15. Every steamboat, propeller, or other vessel, used in conveying passengers, resorting to the harbour, shall be provided with a good and sufficient gangway for the use of persons going and coming from aboard such vessel, and on dark nights a light shall be placed on the said vessel near the gangway, so that the passage from the said vessel to the wharf shall be clearly lighted.

16. All floats in the harbour, and vessels or craft moored to any wharf in any part of the harbour, shall, during the night, show a light at the bowsprit, and one at the stern, or one at each end.

17. No fires shall be used in any vessel, craft or float, anchored or moored in the harbour, or at any of the wharves, except in proper cabooses, or stoves or hearths, of brick, or iron, or other hard metal properly secured.

18. No light shall be allowed on any vessel (except signal lights and lights on steamboats) after ten o'clock at night, but lights may be used after this hour in the cabin of any vessel,

where a person must be during the time such lights are used, in attendance, or where the light is so secured as to prevent the danger of accidental fire.

19. A light may be used at any time on vessels actually loading and unloading, and on any steamboat having a watch on board, the necessary fires for getting up steam may be made when required.

20. The owner, master or person in charge of any steam-vessel visiting the said harbour, which has a chimney from the boiler fires, through which sparks of fire or hot coals or cinders may escape, shall be compelled to have a bonnet or screen made of wire, sheet iron, or other suitable metal, in such a way as to prevent the sparks, coals or cinders from escaping.

21. No tar, pitch, turpentine, rosin, oil or grease, shall be boiled or heated near the harbour, except at such safe place as the Harbour Master, or his assistant, may point out, unless a proper person remain constantly in charge of the pot or kettle, which shall be provided with a sufficient cover or other effectual means of immediately extinguishing any fire which might occur during such boiling, or heating, or otherwise. Provided that this section shall not apply to any shipyard or enclosed private property.

22. No master or person in charge of any vessel shall throw, or permit, any ballast, rubbish, ashes, coals, cinders or refuse matter to be thrown from his vessel, craft, or floats, or boats into the harbour, or slips, nor shall any person or persons throw dirt, filth, rubbish, obstructions, logs, or matter of any kind into the harbour, or slips, which would tend to choke, or obstruct, or fill up, or impair the use, or injure the navigation of the harbour or slips, or foul said harbour or slips.

23. No person shall place any earth, obstructions, logs or other matter on the ice of the harbour, or slips, or in the harbour or slips, or on the shores of the harbour or slips, or upon any of the public wharves, piers or embankments.

24. No person shall obstruct, or incumber, or allow to be obstructed or incumbered, the harbour of this city, or any bay, slip or water thereof, or the shores thereof, with any sunken, ground-

ed vessel, barge, craft, crib, raft, log or other obstruction, or incumbrance owned or chartered by him, or in his charge, or which ought to be removed by him.

25. The owner, charter, or person in charge of any such sunken, grounded or wrecked vessel, barge, craft, crib, raft, log or other obstruction or incumbrance, now or hereafter, in the said harbour, or in any bay, slip or water thereof, or on the shores thereof, obstructing or incumbering the same, or any other person who ought to remove any such sunken, grounded or wrecked vessel, barge, craft, crib, raft, log or other obstruction or incumbrance, now or hereafter, in the said harbour, or in any bay, slip or water thereof, or on the shores thereof, obstructing or incumbering the same as aforesaid, shall forthwith, upon receiving a notice to that effect in writing from the Harbour Master, or City Commissioner, remove, or cause to be removed, from the said harbour, or from the bay, slip or water thereof, or from the shore thereof, as the case may be, any such sunken, grounded or wrecked vessel, barge, craft, crib, raft, log or other obstruction or incumbrance, obstructing and incumbering the same as aforesaid; and any such person neglecting or refusing to obey or comply with such notice, shall be deemed to have committed a breach of this By-law, and shall be dealt with accordingly, every week's default to be considered a separate offence; or upon any such default this Council may cause the work to be done at the expense of the person who should have done the same, and collect or recover the cost thereof from the said person, in the manner provided by the By-law in that behalf, and in accordance with the provision of the Municipal Act in that behalf.

26. No person shall unload any vessel, craft or float, at or on any of the public wharves, landings, docks or slips which now are, or hereafter may be, in this city, or otherwise place or deposit at or on any such wharves, landing docks or slips, any stone, timber, lumber, firewood or other materials, without permission of the Harbour Master, or his assistant, or some other authorized officer of the city. Provided that nothing in this section contained shall affect the rights of private owners or lessees of wharf property.

27. Any person offending against any of the three last preceding sections, shall be compelled to remove, where possible, the thing unloaded, landed or deposited, immediately after receiving notice from the Harbour Master, or his assistant, or from any Police Officer, or other City Officer, to that effect, and a refusal or neglect to so remove the same, where possible, will be a breach of this By-law, equally with the unloading, landing or depositing thereof, and similarly punishable, and each day's default will be a separate offence.

28. No person shall place the dead body of any animal, or any part of any dead animal, in the waters of the harbour or slips, or on the ice thereof.

29. No person shall drown or kill any animal in the waters of the harbour or slips, leaving its body therein.

30. No person shall cut any holes in the ice of the harbour or slips, unless for the purpose of drawing water, or of easing vessels laid up in the harbour, which shall be done and protected under the direction of the Harbour Master, or his assistant, and no person shall cut or take any ice in the harbour or slips without first applying to the Harbour Master and having a place assigned to him for that purpose, and no ice shall be cut or taken from any such place, unless, and until, such place has been protected or planted around with pine, hemlock or cedar bushes, stuck upright in the ice, and at least four feet high from the surface of the snow, and six feet apart, or with a substantial rail fence of the same height, and to the satisfaction of the Harbour Master or his assistant.

31. It shall be the duty of the Harbour Master, or his assistant, to assign, on application of any resident of the city, or any master of a vessel lying in the harbour, a fit place in the harbour at which such resident or master may cut and take away ice, after protection and planting as aforesaid.

32. No vessel or craft shall lay up in the harbour, or any of the slips, without the owner, master, or person in charge, notifying the Harbour Master, whose duty it shall be to assign a place in which such vessel or craft shall lay up, and to keep a register of the vessels so laid up, and the places by him assigned them.

But nothing herein contained shall prevent the owner or lessee of a wharf from laying up any vessel at the outer end of his wharf, or in the slip at the side thereof, except when, by the provisions of this By-law relating to the harbour, the slip is to be kept clear, and in so far as it is to be kept clear, and so as not to hinder and obstruct other vessels or the use of the slip by the public.

33. The hands or crew, in the absence of the master, of any vessel, craft or float shall be liable to the provisions of this By-law, and in such case any order lawfully given by the Harbour Master, or his assistant, shall have the like effect, and be obeyed as if given to the master in person.

34. No person shall disobey the lawful orders or directions of the Harbour Master, or his assistant, in administering the provisions of this By-law- and no person shall molest, hinder or disturb them in any way, while in the proper performance of their duties as authorized by the provisions aforesaid, and such assistants, when acting on behalf of the Harbour Master, shall have and receive the same powers and consideration from all persons as the Harbour Master.

35. That hereafter, subject to the rights of the Government and of the military authorities, and any private rights which may exist, no wharf, pier or other erection shall be begun or built or extended in any part of the waters of the harbour, without permission be first had and obtained from the City Council, by resolution of the Council adopted at one of its regular meetings, and hereafter no wharf, pier or other erection shall be permitted to extend, or shall extend, beyond or further out than a line represented by the dotted line in red ink on the plan of the harbour made by Thomas O. Bolger, P.L.S., City Engineer, dated the eighteenth day of October, 1888, and deposited in the office of the City Clerk, and which said line may be better known by the following description of it prepared by the said City Engineer, that is to say:

DESCRIPTION OF THE NEW LINE OF WHARF EXTENSION.

Commencing at a point in westerly boundary of the Corporation, at the distance of 1,681 feet measured along said westerly

boundary from the southerly limit of King street, thence easterly in a straight line to a point 1,340 feet from the northerly limit of King street, measured along the production of the easterly line of the present Rathbun wharf; thence northerly along said last mentioned line 400 feet to a point 940 feet from the northerly limit of King street; thence easterly in a straight line to a point in the production of the westerly line of Gordon street, 965 feet from the north side of King street, measured along the said production of Gordon street; thence easterly in a straight line to a point in the production of the easterly line of Barrie street, 1,150 feet from the north line of King street, measured along said production of the east line of Barrie street; thence north-easterly in a straight line to a point in the production of the westerly limit of Maitland street, 1,170 feet from the southerly limit of King street, measured along said production of the westerly line of Maitland street; thence northeasterly in a straight line to a point in the production of the westerly line of the present Water Works wharf, 870 feet from the easterly line of Ontario street, measured along the said production of the line of the Water Works wharf and at right angles to Ontario street; thence northeasterly in a straight line to a point in the production of the northerly line of Johnston street, 864 feet from the easterly line of Ontario street, measured along said production of the northerly line of Ontario street; thence in a curve to the left, with a radius of 3,379 feet, to a point touched by a tangent drawn from the easterly end of the Montreal Transportation Company's wharf, through a point in the production of the northerly line of Brock street, 730 feet from the easterly line of Ontario street, measured along the said production of the line of Brock street; thence along the said tangent line to the north-east corner of the present Montreal Transportation Company's wharf, said point being 787 feet distant from the east line of Ontario street, measured along a line parallel to Queen street, and 82 feet north of the northerly line of Queen street.

Also commencing at a point on the northerly side of Cataragui bridge, 50 feet west of the west side of the Swing bridge; thence northerly in a straight line to a point in the southerly line of the Kingsten & Pembroke Railway Company's wharf, 110 feet from the production of the westerly line of Ontario

street, measured along the south line of said wharf; thence south-easterly along the line of said wharf to the easterly end of the same, being 660 feet from the production of the westerly line of Ontario street; thence northerly in a straight line to a point in the production of the southerly line of Cataraqui street, 1,120 feet from the easterly line of Orchard street, measured along said production of Cataraqui street; thence northerly in a straight line to a point in the production of the southerly line of River street, 1,320 feet from the easterly line of Orchard street, measured along said production of River street; thence northerly in a production of the last course to the Marsh. And wharves and piers may, with such permission as aforesaid, be built or extended out to the said line and no further, and no person shall build or extend any wharf or pier without such permission, or build or extend any wharf or pier beyond the said line. Provided that any permission granted under this section, to build or extend any wharf, pier, or other erection as aforesaid, shall be subject to the Act, Chapter 92, of the Revised Statutes of Canada, 1886.

36. The words "vessels and crafts" shall be deemed to include every species of steam and other vessels and boats lying or floating in or navigating the harbour, and the word "float" shall be deemed to mean and include all rafts of timber, lumber, logs, wood, trees, firewood, or other floating material, and the word "harbour" shall mean and be deemed to include all those parts of Lake Ontario and the great River Cataraqui, by law included within the limits of the city and harbour of Kingston, together with the slips connected therewith and part thereof.

37. No person shall drive or ride a horse or horses on or near any of the wharves at a quicker pace than a walk, and the drivers of cabs, carts and other vehicles shall so arrange them as not to block up or unduly obstruct the entrance or passage to any wharf.

38. Any person causing or procuring or permitting anything to be done contrary to the provisions of this By-law shall be equally guilty of a breach thereof as the person actually doing it.

39. No person shall sound any steam-whistle or steam sounding apparatus on any steamboat or vessel in the harbour, ex-

cept one blow or whistle three times in succession on entering the harbour.

40. No person shall sound any steam-whistle or steam sounding apparatus, on any steamboat or vessel in the harbour, approaching the Cataraquei Bridge on either side for the purpose of passing through the same, until such steamboat or vessel is within six hundred yards of the said bridge, and then only by giving four sharp short whistles or blows, which may be repeated once.

41. Provided that nothing herein contained shall be construed to prevent the sounding of any such steam-whistle or steam sounding apparatus where actually necessary for the prevention of accidents in navigating the harbour, but no steam-whistle shall be blown or sounded more than ten seconds at one time without an interval of one minute each time of blowing or sounding.

42. This By-law shall come in force and take effect on its passing.

No. 491.

A By-Law Respecting the City of Kingston Water Works.

Passed Monday, Dec. 15th, 1893.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The annual rates, meter rates, extras, business rates, hydrant charges, builders' charges, charges for street hose, charges for lawn sprinklers, and charges for soda water fountains,

to be paid for the use of water from the City Water Works, and the discounts to be allowed for early payment thereof, and the percentage to be added to and deducted therefrom in certain cases, set out and contained in Schedule A to this By-law, are hereby adopted and confirmed by this Council.

2. The rules to be observed by consumers of water supplied from the City Water Works, set out and contained in Schedule B to this By-law, are hereby adopted and confirmed by this Council.

3. The said rates, extra charges, discounts, percentages and rules, may be changed from time to time by this Council by resolution, on the recommendation of this Council's Committee on the said Water Works, and such changes as may be so made by this Council, on such recommendation, are hereby adopted and confirmed, and shall govern while they respectively continue in force.

4. No person being a tenant, occupant, or inmate of any house, building or other place supplied with water from the said City Water Works shall lend, sell, or dispose, otherwise than for his own use of the water thereof, or give it away, or permit it to be taken or carried away, or use or apply it to the use or benefit of others, or to any other than his own use and benefit, except in the case of fire occurring, for the purpose of being used to extinguish such fire, and no person shall increase the supply of water agreed for by him with this Corporation, or wrongfully or improperly waste the said water supplied.

5. That every consumer of water supplied from the said City Water Works shall obey, observe and keep all and every of the said rules set out and contained in Schedule B to this By-law, and every contract entered into by this Corporation for the supply of water from the said works shall be subject to the said rules, unless as may be otherwise specially provided by this Council, and any person committing a breach of any of the said rules shall be guilty of a breach of this By-law, and shall be dealt with accordingly, unless such breach has been the commission of any of the acts mentioned in section 33 of "The Municipal Water Works Act," where a penalty for such breach has been provided by the said Act.

6. This By-law shall come in force and take effect on its passing.

SCHEDULE A.

ANNUAL RATES TO BE PAID FOR THE USE OF WATER FROM THE KINGSTON WATER WORKS.

Regular Water Rates are Payable Quarterly at the Office of the Department, in January, April, July and October.

DWELLING RATES ACCORDING TO ASSESSMENT.

| | | | | |
|---------------------|-----|--------|---------|-------|
| Assessment up to \$ | 500 | ..... | \$ 6 25 | |
| 500 | " | 700 | ..... | 7 50 |
| 700 | " | 1,000 | ..... | 8 75 |
| 1,000 | " | 1,300 | ..... | 10 00 |
| 1,300 | " | 1,600 | ..... | 11 25 |
| 1,600 | " | 1,900 | ..... | 12 50 |
| 1,900 | " | 2,200 | ..... | 13 75 |
| 2,200 | " | 2,500 | ..... | 15 00 |
| 2,500 | " | 3,000 | ..... | 16 25 |
| 3,000 | " | 3,500 | ..... | 17 50 |
| 3,500 | " | 4,000 | ..... | 18 75 |
| 4,000 | " | 5,000 | ..... | 20 00 |
| 5,000 | " | 6,000 | ..... | 21 25 |
| 6,000 | " | 7,000 | ..... | 22 50 |
| 7,000 | " | 8,000 | ..... | 23 75 |
| 8,000 | " | 9,000 | ..... | 25 00 |
| 9,000 | " | 10,000 | ..... | 26 25 |

EXTRA RATES.

| | | |
|-------------------------------|-------|---------|
| Baths, Private | ..... | \$ 2 50 |
| " Public | ..... | 5 00 |
| Closets, Private | ..... | 3 75 |
| " Public | ..... | 3 75 |
| Urinals, Self-closing | ..... | 5 00 |
| " not " | ..... | 7 50 |
| Hopper Closets, direct supply | ..... | 6 25 |
| Horse | ..... | 2 00 |
| Cow | ..... | 1 00 |

BUSINESS RATES.

| | | |
|--|-------|----------|
| Bakeries—(Dwelling by Assessment) | ..... | \$ 12 50 |
| Banks (Dwelling by Assessment) | ..... | 15 00 |
| Barber Shops—(for one or two chairs) | ..... | 6 25 |
| " " Each additional chair | ..... | 2 50 |
| Boot and Shoe Stores | ..... | 7 50 |
| Bottling Works | ..... | 20 00 |
| Book Stores | ..... | 7 50 |
| Butchers | ..... | 7 50 |
| Confectionery and Fruit Stores—(Shop only) | ..... | 7 50 |
| Clothing and Tailoring Establishments | ..... | 7 50 |
| Churches | ..... | 6 25 |
| " Including caretaker and boiler | ..... | 11 25 |

| | | |
|--|------------|-------|
| Club or Meeting rooms..... | \$6 25 to | 7 50 |
| Crockery Stores | | 7 50 |
| Doctors' Surgeries | | 7 50 |
| Dentists | | 7 50 |
| Druggists | | 7 50 |
| Dry Goods Stores..... | | 17 50 |
| Fancy Goods Stores..... | \$7 50 to | 10 00 |
| Flour and Feed Stores | | 6 25 |
| Fish and Game Stores..... | | 7 50 |
| Groceries..... | | 6 25 |
| Gents' Furnishings ... | \$5 00 to | 15 00 |
| Hardware, Tinware, &c | | 6 25 |
| Jewellery, &c..... | | 7 50 |
| Job Printers | | 6 25 |
| Laundries | | 7 50 |
| Leather and Hides | \$12 50 to | 20 00 |
| Liquors, &c | | 6 25 |
| Millinery, &c..... | \$12 50 to | 17 50 |
| Musical Instruments, &c..... | | 6 25 |
| Newspapers | | 6 25 |
| Offices..... | \$10 00 to | 33 75 |
| Photographers | | 7 50 |
| Paint Shops | \$15 00 to | 22 50 |
| Railway Stations | \$7 50 to | 10 00 |
| Schools and Colleges..... | | 45 00 |
| Sail Makers | \$15 00 to | 75 00 |
| Sewing Machines | | 7 50 |
| Stables—(Livery, each horse) | | 6 25 |
| " —(Cartage, each horse)..... | | 2 50 |
| Tobacconists' Shops | | 2 00 |
| " Factory..... | | 6 25 |
| Foundries and Large Establishments by Meter..... | | 10 00 |

SPECIAL NOTICE.

The quarterly periods begin on 1st January, 1st April, 1st July and 1st October.

New consumers turned on in the interval will be charged up to the beginning of the next regular quarter.

Twenty per cent discount will be allowed on the above rates if paid at the office within twenty days from the first of each quarter. Accounts paid after this date during the quarter are entitled to a proportion of said discount, according to a sliding scale prepared for that purpose.

In no case will the discount be allowed provided any arrears exist.

Where dwelling and small stores are connected the assessment of the whole building will be taken and no shop rate charged.

METER RATES.

| | | | |
|---------------------------------|--|------|---------------------|
| For quarterly consumption of | | | |
| 1,000 cubic feet or under | | 40c. | per 100 cubic feet, |
| 2,000 " " | | 37c. | " " |
| 3,000 " " | | 34c. | " " |
| 4,000 " " | | 31c. | " " |
| 5,000 " " | | 29c. | " " |
| 6,000 " " | | 27c. | " " |
| 7,000 " " | | 25c. | " " |

| | | |
|---------------------------------|------|---------------------|
| 8,000 cubic feet or under | 23c. | per 100 cubic feet. |
| 9,000 " " | 21c. | " " |
| 10,000 " " | 20c. | " " |
| 12,000 " " | 19c. | " " |
| 14,000 " " | 18c. | " " |
| 16,000 " " | 17c. | " " |
| 18,000 " " | 16c. | " " |
| 20,000 " " | 15c. | " " |
| 25,000 " " | 14c. | " " |
| 30,000 " " | 13c. | " " |
| 35,000 " " | 12c. | " " |
| 40,000 " " | 11c. | " " |
| 50,000 " " | 10c. | " " |
| 75,000 " " | 09c. | " " |

Ten per cent. discount off meter rates if paid within ten days from the service of account.

Charitable institutions are allowed 35 per cent. off above tariff.

In the event of a meter stopping, or failing to register, the consumption will be ascertained by average of previous quarters.

No meter rate will be less than \$2.50 net per quarter.

BUILDERS' CHARGES.

| | |
|--|-------|
| For water supply for builders' purposes :— | NET. |
| Masonry laid per toise | \$ c6 |
| Brick laid per 1,000 | 08 |
| Plastering per 100 square yards | 30 |

Builders must supply their own pipe and cocks.

HYDRANT CHARGES.

For water supply from hydrant for flushing drains, cellars, &c.:—
\$2.00 net per hour.

No charge less than 50 cents.

A deposit of \$5.00 is required before water can be used for these purposes.

SPECIAL CHARGES.

A written permit must be obtained from the office of the Water Works Department before using the water for any of the following purposes :—Street Hose, Lawn Sprinklers, and Building Purposes.

CHARGES FOR STREET HOSE.

When used for washing windows and sprinkling sidewalks and boulevards.

| | |
|--------------------------------------|-------------|
| For 25 feet frontage and under | NET. \$1 50 |
| For each additional foot | 02 |

LAWN SPRINKLERS.

When used for sprinkling lawns, grass plots, and gardens :

| | |
|---|--------|
| For 1st 1,000 square feet, area | \$1 50 |
| For 2nd 1,000 " " | 75 |
| For 3rd 1,000 " " | 50 |
| For 4th 1,000 " " | 35 |
| For each additional 1,000 square feet, area | 25 |

When area of lawn is under 2,000 square feet frontage rate will be charged.

SODA WATER FOUNTAINS.

| | |
|---------------------------------|--------|
| | NET. |
| For the ordinary fountain | \$1 50 |
| For tumbler washer | 8 00 |
| For figure jet | 4 00 |

The above special charges are for the summer season, viz., from 1st May to 1st October.

The water rates established permit the use of water only upon the premises for which such rates are charged.

When water is required for purposes not specified in the foregoing tariff, the rates shall be fixed by the Water Works Committee.

SCHEDULE B.

RULES RESPECTING THE SUPPLYING OF WATER, TO BE OBSERVED BY THE CONSUMERS.

Rule 1st.—That all applications for a supply of water be made at the Office of the Water Works Department, and the rate of each house or consumer, not specially agreed for, shall be according to the regular tariff of charges. Water for baths, closets, horses, cows, street-washers hose, lawn and garden sprinklers, and soda water fountains, is extra, and will be charged for (as per tariff) in addition to the usual family or house rates.

Rule 2nd.—That the water rates be paid quarterly in advance at the office of the Water Works Department, and that no water be supplied to persons who refuse to comply with this rule, and no deviation will be made from it by the Corporation; and that consumers leaving a house, or premises, may sell or transfer their receipt for any part of a quarter for which they have paid, to the person next coming into such premises. Consumers vacating premises are required to give notice at the office of the Water Works Department, otherwise they will be held liable for the water rate, up to the time such notice is given.

Rule 3rd.—That an officer of the Corporation shall make a periodical inspection, of all pipes, cocks, &c., outside the line of street, and on the premises of consumers, and that all said pipes, cocks, &c., are to be kept in good repair by either landlord or tenant, otherwise the supply to such premises will be shut off; and in case of any break or burst, or leakage of pipes

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Water Works
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..... 35
..... 25

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or taps, consumers are required to send immediate notice thereof to the office of the Water Works Department.

Rule 4th.—That in no case an allowance be made for the stoppage of water, unless due notice be given, and an account be furnished of such lack being supplied otherwise than by the works.

Rule 5th.—That consumers using water for the purposes of cleansing sewers, drains, water closets, or other like purposes, without the consent of the Corporation, or their officer, therefor appointed, will be punished according to law in that behalf.

Rule 6th.—That the Corporation will not hold themselves responsible for the stoppage of or damage by water from any cause over which they have no control.

Rule 7th.—If any person being tenant, occupant, or inmate, of any house, building, or other place, supplied with water by the Corporation, lends, sells, or disposes of the water, or gives it away, or permits it to be taken or carried away, or uses or applies it for the use or benefit of others, or to any other than his, her, or their own use and benefit, or increases the supply of water agreed for with the Corporation, or wrongfully neglects, or improperly wastes the water, such person shall be liable to a fine not exceeding \$20 and costs, or to imprisonment in the first instance for a term not exceeding one calendar month.

Rule 8th.—If any person wilfully or maliciously lets off or discharges any water so that the same runs waste or useless out of the said Works, such person shall be liable to pay a sum not exceeding \$20 nor less than \$1 and costs, or to be imprisoned, in the first instance, for any term not exceeding 30 days.

Rule 9th.—If any person wilfully alters any meter of the Water Works, placed upon any service pipe or connected therewith, within or without any house, building, or other place, so as to lessen or alter the amount of water registered thereby, unless specially authorized by the said Corporation for that particular purpose and occasion, such person shall be liable to the penalty last aforesaid.

Rule 10th.—If any person lays, or causes to be laid, any pipe or main, to communicate with any pipe or main of the said Water Works, or in any way obtains or uses any water thereof

without the consent of the said Corporation, such person shall be liable to the penalty last aforesaid.

Rule 11th.—If any person wilfully or maliciously hinders or interrupts, or causes, or procures to be hindered or interrupted, the said Corporation, or their officers, servants, contractors, agents, workmen, or any of them, in the exercise of any of the powers or authorities authorized and contained in "The Municipal Water Works Act, 1882," such person shall be liable to the penalty last aforesaid.

Rule 12th.—That the cost of laying service pipes beyond the outer line of the street, if done by the Corporation, shall be paid by the owner of the premises, who may, however, lay the same himself, if done to the satisfaction of the Corporation, or of the officer of the Corporation, whose duty it is to superintend the same.

Rule 13th.—That the cost of the repair of any damage done, by neglect or otherwise, to the service pipes laid beyond the outer line of the street to the interior surface of the building supplied, and of all branches, couplings, stop-cocks and apparatus placed therein, shall be borne by the occupant or owner, who shall repair the same to the satisfaction of the Corporation, or their officer as aforesaid, and in default of his so doing the Corporation may do the repairs and charge the cost to the owner of the premises.

Rule 14th.—That all parties supplied with water may be required to place only such taps for drawing and shutting off the water as are approved of by the Corporation, and no pipes or taps other than those agreed for shall be put in.

Rule 15th.—That any person authorized by the Corporation in that behalf, with necessary assistants, shall have free access at proper hours of the day, and upon reasonable notice given and request made, to all parts of every building or other premises, in which water is delivered and consumed, for the purpose of inspecting or repairing the pipes and other apparatus connected with the water supply therein, or for placing meters on any service pipe or connection within or without any house or building, as they may deem expedient, and for this purpose, or for the purpose of protecting or of regulating the use of any

meter, may set or alter the position of the same, or of any pipe connection or tap, the expense of any such alterations being payable by the owner or occupant of the premises.

Rule 16th.—The payment of the water rate may be enforced by shutting off the water, by suit at law, or by distress of the goods and chattels of, or in possession of, the owner or occupant, or of any goods and chattels found on the premises the property of, or in the possession of, any other occupant of the premises, and it is also a lien on the premises.

Rule 17th.—That the Corporation shall not be liable for damages caused by the breaking of any service pipes or attachment, or for any shutting off of any water to repair mains or to tap the mains, if reasonable notice of the intention to shut off the water is given, whenever the same is shut off more than six hours at any one time.

Rule 18th.—That consumers must have their cellars and places, where the water pipes enter their premises properly protected from frost. Positively no allowance will be made off accounts for the stoppage of the supply where the pipes are found frozen within the premises of the consumer.

No. 492.

A By-Law Respecting the Public Markets.

Passed Monday, April 16th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The Public Market Houses, and the Public Market Places herein and hereby established in the City of Kingston, shall be the public market houses and places in and for the said city, and all grain, meat, vegetables, fish, hay, straw, fodder, wood, lumber, shingles, farm produce of every description, small ware, and all other articles, brought into the said city to be exposed for sale or marketed, may be exposed for sale therein, in accordance with the provisions hereinafter contained in that behalf.

2. The following area shall henceforth constitute Public Market Place Number One in this city, that is to say:

“All the Market Square, together with that portion of King Street lying between the northeasterly side of Clarence Street and northerly side of Brock Street, and all that portion of Brock Street extending from the southeasterly side of Wellington Street to the southeasterly side of Ontario Street, and all that portion of Ontario Street extending from the northerly side of Brock Street to the northeasterly side of Clarence Street, and the northerly side of Clarence Street to its intersection with Wellington Street, and the southwesterly side of Wellington Street to Brock Street.” Provided that the sidewalks and crossings of the streets in this section mentioned shall not be obstructed or encumbered, and provided that a passage in the centres of said streets for carriages, shall be preserved free from obstruction, and all grain, meat, vegetables, farm produce of every description, small ware, and all other articles, brought into the city and exposed for sale on a Market, except the articles by the provisions of this By-law to be exposed for sale in Public Market Number Two, shall be exposed for sale and marketed in said Market Place Number One, except as hereinafter is provided, and said Public Market Place Number One shall be sub-divided as follows :—

That part of the City buildings, formerly occupied by the public shambles and the market, called the Island Market, shall and is hereby constituted and declared to be a General Public Market for the sale of butter, cheese, eggs, poultry, vegetables, flowers, and such other articles, commodities and things as are brought into the City to be exposed for sale or marketed, and are exposed for sale in baskets or otherwise than in waggons, sleighs or other vehicles, and said market shall be called "Market Letter A," of Public Market Number One, and the verandah opposite the said part of the City Buildings, on the north side thereof, shall be and is hereby also constituted a part of said "Market Letter A." And the position, placing and disposition of all persons attending the said Market Number One, and also Market Number Two, with their horses, vehicles, commodities, articles and things for sale, shall rest with the Clerk of the Public Markets, subject to the direction of this Council or of the Market Committee thereof, from time to time, and the provisions of this By-law.

3. That the Market Place in the Place d'Armes shall comprise, as on the said first day of April in the year 1882 it comprised, the whole "Place" from Wellington Street to Ontario Street, together with the parts of town lots numbers twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty, reserved for the purpose of the said market in Nash's plan of the sub-division of said lots, and shall be and constitute Public Market Place Number Two, and shall be sub-divided as follows :—

(a.) The north-easterly side of this market from King Street easterly to Ontario Street, shall be appropriated, and shall be and is hereby established as a public market for the marketing and sale of firewood, lumber, shingles, poles, binders, laths and ladders, brought into the City to be exposed, for sale or marketed in sleighs, waggons, and other vehicles, which shall be placed with the hinder end of each vehicle towards and within two feet of the sidewalk on the said northeasterly side of the "Place;" provided that King Street, passing through the "Place," and the centre of the "Place," shall be kept free from all obstructions to admit of the passing of the public with horses, cattle and carriages, and the said last mentioned market shall be called the Wood Market.

(b.) The northeasterly side of this market from King street to Wellington Street shall be appropriated, and shall be, and is hereby established as a public market for the sale of horses, cattle, sheep and pigs, and other four-footed animals, in which the same shall be exposed for sale and marketed properly secured ; and the said last mentioned Market shall be called the Cattle Market.

(c.) The southwesterly side of this market shall be and the same is hereby established as a public market for the sale of hay, straw, and fodder in vehicles, and all vehicles containing such, brought to the said market to be offered for sale or marketed, shall be arranged on the south-westerly side of the "Place" with the hinder end of each vehicle towards and within four feet of the side-walk of the said "Place;" provided that King street and the centre of the "Place" shall be kept free from obstruction, to admit of the passing of the public with horses, cattle and carriages, and the said last mentioned Market shall be called the Hay Market.

4. In the Public Market Place Number Two public weighing scales shall be maintained, at which all hay, straw, cattle, coal, phosphate and ore, and other heavy articles, weighing five hundred pounds or over, marketed or sold in the City, shall be weighed, and the charges for such weighing hereinafter provided shall be made and collected, and shall be paid by the seller; and public weighing scales shall be maintained at Market Place Number One, as at present, and the charges for weighing thereat hereinafter provided shall be made and collected, and shall be paid by the seller of the article weighed.

5. Subject to the provisions of the By-law respecting hawkers, pedlars, and petty chapmen, the vendors of any articles may, without paying market fees, offer for sale, and sell or otherwise dispose of the same at any place within the City, excepting only at and upon the market places thereof. Provided always, and it is hereby enacted, that the vendors of any such articles in respect of which a market fee may now be imposed under the Municipal Acts, who shall voluntarily use any of the said market places for the purpose of selling such articles, shall be liable to pay the lawful market fee hereinafter imposed in the case. And provided

further that any person who shall remain upon that part of any street immediately adjoining or surrounding, or being within one hundred yards of any market place, for the purpose of selling upon such street or streets such articles so as to obtain the advantages of the said market place, shall be liable to pay the proper market fee in respect of such articles hereinafter imposed, except when the sale is made to persons carrying on business, and having actual and *bona fide* stores, shops, or other similar places of business on those portions of streets last mentioned.

6. No person selling articles elsewhere in the City than upon one of the market places as aforesaid, shall obstruct or block up the traffic in the streets with his vehicle or otherwise, and no person shall place his horse or horses and vehicle across any street, or stop or stand them in the middle of any street, or stand them in any street except in the parts of any streets in the sections 2, 3 and 5 of this By-law mentioned, beyond the time actually necessary for negotiating sales, and while so negotiating sales, and not exceeding at any one place or time ten minutes, or while delivering any such articles, and when delivering the same, the person delivering them shall draw up and place his horse or horses and vehicle close to the sidewalk opposite the place of delivery, and two or more vehicles shall not be placed abreast or opposite to each other in any street as aforesaid.

MARKET DAYS AND HOURS.

7. Every day in the year shall be a market day except Sunday, and no person shall sell or expose for sale or market any commodity or thing on any of those days, so excepted from any of the said markets.

MARKET REGULATIONS.

8. On all such market days as aforesaid that part of the Market Building used as Market Letter A. shall be kept open from seven o'clock a.m. until 2 o'clock p.m. from the first day of December, until the thirty-first day of March following, inclusive, and during the remainder of the year from six o'clock a.m. until four o'clock p.m. But the said Public Market Places, Numbers One and Two, shall be open for the sale of the commodities authorized to be there sold at all times during the day until sunset.

9. All persons resorting to the public market houses and market places with commodities, articles or things, for sale, shall be directed and controlled by the Clerk of the Markets, or other person appointed in his stead, in the arrangement of the stands and vehicles, and the order in which each shall be placed, so as to produce order and regularity; and no person shall disobey, thwart, hinder or molest the Clerk or such person as may be so appointed, or his assistant, in the discharge of his duty in this behalf.

10. No empty cart, truck, waggon, sleigh, or other vehicle, shall be permitted to stand in the market places.

11. No vehicles, barrels, boxes, bags, crates, tables or stands, or depositories of any kind, shall be allowed to remain on any part of the said public markets over or during the night, or on Sunday, and no passage or footway heretofore designed and appropriated to the use of and meant to be used by foot passengers, shall be in any way obstructed on any pretence whatever, and all public streets shall be kept sufficiently clear to admit of the free passage of the public with horses, cattle and carriages, and any person who shall obstruct any part of any passage for foot passengers as aforesaid, or any public street contrary to this section, shall be held to be guilty of a breach of this By-law, and shall be dealt with accordingly.

12. All meat, poultry, fish or other articles of food, tainted, unwholesome, or unfit for food in the opinion of the Clerk of the Markets, or other person appointed in his stead, offered or exposed for sale, or marketed on or in any of the said markets, or authorized fish or meat shops elsewhere within the City, shall be seized and destroyed, and the persons offering or exposing the same for sale shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

13. The vendors of articles in any waggon, sleigh, cart, truck or other vehicle or other thing, brought into the public market in the City of Kingston for sale, shall be subject and liable to the respective and proper market fees, hereinafter set down and imposed, in respect thereof in the tariff of market fees and weighing charges.

14. No person shall post on or attach to any weigh-house or to any part of the City or Market Buildings, any bills, notices, papers, posters or placards, and any person so doing shall be deemed guilty of a breach of this By-law and liable to the penalties thereof.

15. No person shall throw or place any filth, offal, vegetable tops or refuse, upon any part of the public market places or in any market house, and any person so doing shall be liable as aforesaid.

16. No person shall commit any kind of nuisance in any of the said market houses or market places, and any person so doing shall be liable as aforesaid.

17. No huckster, dealer, or other person, shall kill or pluck on the market place, any description of fowls, nor shall any butcher or other person kill or clean any animal there, or in any public street or place or in the City Building, and if any such person do so he shall be deemed guilty of a breach of this By-law and liable to the penalties therefor provided.

18. No person shall, except as in the By-law relating to auctioneers is provided, offer or expose for sale by auction, or public outcry, in any of the market places, or public streets or places adjoining, any articles, commodities or things, nor shall any person conduct his business in a noisy or loquacious manner, or so as to attract a crowd about him, or interrupt the general business of the market, or obstruct the same or the persons attending it, or obstruct any of the said public streets or places, and if any such person do so the Clerk of the Markets, his assistant, the policeman on duty, or any other person under the authority of the Clerk of the Markets, shall cause such person so offending to desist, and if such person refuses to desist he shall be summoned before the Police Magistrate, or the Mayor, or any Alderman of the City acting for the Police Magistrate, or otherwise competent, and shall be dealt with as for a breach of this By-law.

MARKET FEES AND WEIGHING CHARGES AND RENTS AND THE
LESSEE.

19. The market fees and weighing fees or charges of the City markets other than rents arising from tables and stands and

rents of tenements and shops in the City Market buildings, shall be farmed, leased or rented to the highest and best tender on the first Monday in August in each year, and at least one week's notice shall be given for tenders in one or more of the City newspapers, and also at least fifty large sized printed bills shall be posted up in conspicuous places throughout the City, calling for such tenders as aforesaid, and no tender shall be received or accepted which shall not contain the actual signatures of two good and sufficient persons as sureties who shall, in the lease to be entered into with their principal, bind themselves jointly and severally for the due fulfilment of the contract and the faithful payment of such amount as may be offered for such contract, whether such contract shall prove profitable or not, and such lessee and his sureties shall give twelve promissory notes for the rent, made by the lessee and endorsed by his sureties, payable monthly, each for an equal twelfth part of said rent. Provided that said market fees and charges may be disposed of by public auction, if the Council think fit, under such regulations as may be by them adopted, and provided further that the City Council may keep the same in their own hands if deemed advisable.

20. The lessee or purchaser of said market fees and weighing fees or charges from time to time shall and may demand, take, collect and recover the same in as full, ample and efficient a manner as the Council might cause to be done in case said market fees and weighing fees or charges had not been let and sold, and no lessee of the said market fees and weighing fees or charges shall assign or sub-let the same or any part or portion thereof, or shall let or set apart or assign to any person any part of the area of the public market to be occupied by a stand or by cordwood or otherwise howsoever contrary to the true intent and meaning of this By-law.

21. The collector or lessee of the market fees and weighing fees or charges, or his assistant or assistants, shall not exceed the authority vested in him by the provisions of this By-law, and he shall not exact, extort or receive any higher or other fee or charge than is authorized to be collected and paid by the said provisions of this By-law, and all tickets given by him for weighing

shall be written with ink and not otherwise, and he shall keep a copy of the same in a book to be kept by him for that purpose, and to be open for inspection at reasonable times, and further the said collector or lessee, and his assistant or assistants, before entering upon the said office, shall be sworn in by the Mayor as Weigh Masters.

THE CLERK OF THE MARKETS.

22. It shall be the duty of the Clerk of the Markets, or his assistants, to give notice promptly to the owner of any horse or vehicle, or the owner of any box, barrel, package, case, or other depository, occupying or obstructing any portion of the markets, sidewalks, or passages as hereinbefore defined; and if such person shall not immediately remove such obstruction, attend his horse, and in every matter obey said Clerk or his assistants, and act promptly in accordance with the provisions of this By-law when notified or required so to do, then said Clerk of the Markets, or his assistants, shall immediately cause to be summoned, any and every such offender, before the Police Magistrate or the Mayor or any Alderman of the City having due authority, to be dealt with as for a breach of this By-law. Provided always that a space of twelve inches on the insides of the side-walks be permitted to merchants and others for the display of their goods and merchandise in all cases where the side-walks are ten feet in width, and a space of two feet where the walks are less than ten feet in width, immediately opposite to and adjoining their places of business in the Market Squares or places and adjoining streets, but otherwise no side-walks or pavements shall be obstructed, but shall be kept sufficiently free for the public traffic as hereinbefore provided in section 2 of this By-law.

23. The duties of the Clerk of the Markets shall be (in addition to all other duties herein contained or mentioned) to open and close the doors of the market house in accordance with the days and hours aforesaid and to attend to the Market Places during such days and hours, he shall not appoint a deputy without the authority of the City Council or the Mayor; he shall oversee and inspect and shall seize and destroy all tainted and unwholesome meat unfit for food, poultry, fish or other articles of food exposed for sale or marketed in any public market, public street or place;

he shall determine all disputes that may arise regarding weights and measures in the markets; he shall also summon before the Police Magistrate, or the Mayor or any Alderman of the City acting for the Police Magistrate, without any unnecessary delay, all persons whom he deems or who are charged with being guilty of any breach of any of the provisions of this By-law, and take all necessary steps to have such persons duly punished; he shall also determine the order of standing in or occupation of the market places in conformity with the provisions of this By-law, he shall be, ex-officio, a City Constable, and sworn in as such when entering upon the duties of his office; he shall enter into a bond with the City Corporation, himself in six hundred dollars, with two sufficient sureties in five hundred dollars each, for the due performance and faithful discharge of all his duties, and the faithful accounting for and paying to the City Treasurer, or as directed by the City Council, all monies which shall come into his hands as such clerk, at least once every week, but oftener if required; he shall also make such returns relative to his office as shall be called for by the resolution of the Council. Provided always that one policeman shall be constantly on duty during market hours in the Market Place Number One, and during such time shall be under the control of the Clerk of the Market, to act promptly as circumstances may require, and especially to prevent either forestalling or buying by hucksters, grocers, butchers or runners, before the hour hereinafter mentioned in the section of this By-law relating to forestalling, regrating, and monopolizing.

24. The Clerk of the Markets shall see that the conditions and requirements of this By-law are all satisfied, obeyed, observed, and complied with, by the persons whose duty it is to satisfy and comply with the same.

BUTTER.

25. Butter offered or exposed for sale or marketed within the City of Kingston, in rolls or prints or other packages, shall be sold by weight and not otherwise, and when stated or represented to contain a certain weight, it shall be lawful for the Clerk of the Markets, or any person appointed, to weigh such butter, and if found short or light of weight from what it was represented to

be, said Clerk or person shall immediately summon before the Police Magistrate, or Magistrate acting in his stead, the person offering it for sale and making such misrepresentation, who shall be dealt with as for a breach of this By-law, and the said butter shall be forfeited to the use of the House of Industry as herein provided.

GRAIN, PRODUCE, AND ROOTS.

26. All grain, produce, and roots, as hereinafter mentioned, offered or exposed for sale within the City of Kingston, shall be sold by avoirdupois weight, and not otherwise, (unless a bushell by measure is specially agreed upon, which measure shall be the Dominion standard bushell measure), the weights to be used being the standard weight per Dominion bushell measure as fixed by law, and the said weight shall be for each such bushell as follows, viz: Wheat, 60 pounds; beans, 60 pounds; barley, 48 pounds; oats, 34 pounds; rye, 56 pounds; peas, 60 pounds; buckwheat, 48 pounds; indian corn, 56 pounds; clover seed, 60 pounds; timothy seed, 48 pounds; potatoes, turnips, carrots, parsnips, beets and onions, 60 pounds; flax seed, 50 pounds; hemp seed, 44 pounds; blue grass seed, 14 pounds; castor beans, 40 pounds, avoirdupois weight, and the fractional parts of a bushell of each article shall weigh in proportion, and the said articles shall be weighed at one of the public market scales, at the expense of the vendor, and the weigher shall give a ticket as hereinbefore provided.

27. When potatoes, turnips, carrots, parsnips, beets, onions, beans or peas, are offered for sale or sold by the bag, each bag of said articles shall weigh ninety Dominion pounds weight avoirdupois, exclusive of the weight of the bag, and none of said articles shall be offered for sale or sold by the bag unless each bag contains the said weight, and any person acting contrary to this section, shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

28. When oats are offered for sale or sold by the bag, each bag shall weigh sixty-eight Dominion pounds weight avoirdupois, exclusive of the weight of the bag, and no oats shall be offered for sale or sold by the bag unless each bag contains the said weight, and any person acting in a manner contrary to

this section shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

HAY AND STRAW.

29. Any hay or straw exposed or offered for sale within the City, except straw in bundles, shall be sold by the ton or hundred pounds weight avoirdupois, and not otherwise, and if straw be exposed or offered for sale by the bundle, each bundle shall weigh not less than twelve pounds avoirdupois, and in such case it shall be lawful for the Clerk of the Market, or any other person appointed, to weigh one or more bundles, and if found short of weight every bundle in the load shall be weighed, and all bundles found short of weight shall be forfeited for the use of the House of Industry, and the person offering the same for sale shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly, and he shall also pay the weighing charges.

30. Hay and straw shall be weighed at the public weighing scale in the Public Market Number Two, and not elsewhere, and after it is sold and delivered, and not before, a ticket shewing the gross weight and tare and net weight of each load shall be given by the Clerk of the Markets, or weigher, or other person in charge, to the owner or vendor of such hay or straw, which ticket shall also state the year and the day of the month on which such load as aforesaid was weighed, and a ticket containing the like particulars shall be given to the vendor or owner of anything weighed at any of the public scales by the Clerk of the Market, the weigher, or person in charge of them, and said ticket shall be delivered by the Vendor to the purchaser at the time of the delivery of the thing purchased.

WEIGHING AND MEASURING.

31. The vendor shall in all cases pay for the weighing of the article sold, and the weighing shall be done at the public scales in the public market herein appointed for the sale of the article (except as herein may be otherwise provided), by the proper weigher, who shall in all cases grant a ticket of the weight and date of weighing.

32. The vendor shall weigh and measure according to the aforesaid Dominion weights and measures, on request by the purchaser, and on refusal shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly. Provided always that it shall be lawful for the vendor and buyer to agree specially that the sale shall be by the bushel by measure instead of the bushel by weight.

33. When any article or thing is exposed for sale or marketed in any public market in this City it shall be unlawful to state or represent it to be of greater weight, number or measure than it is, either verbally or by words, letters or figures, marked thereon, or on the thing containing it or otherwise, and when it is stated and represented by the person exposing the same for sale, or marketing the same, or appears by words, or letters, or figures marked on such article or thing, or on the thing containing it or otherwise, that such article or thing contains a certain weight, number or measure, or if such article or thing should be required by any law or By-law to contain a certain weight, number or measure, it shall be lawful for the said Clerk of the Markets, or person appointed to weigh such article or thing on the public weighing scales, or to count it or to measure it, in or by a lawful measure, whenever he shall deem it proper to do so, and if such article or thing be found short or light of weight, or short of count or of measure from what it was represented to be, or from what it ought to be as aforesaid, the said Clerk or person shall forthwith proceed to summon the person offering the article for sale and making such misrepresentation, who shall be deemed guilty of a breach of this By-law, before the Police Magistrate or other Magistrate acting in his stead, to be dealt with as for a breach of this By-law, and any such article so found of light weight or short measurement shall be forfeited to the use of the House of Industry.

34. There shall not be any trick or device or other fraudulent means used whereby any meat, fish, fowl, produce, commodity, article or thing exposed or offered for sale is or would be deceitfully enhanced in weight, bulk, appearance or apparent value, and any person using any such trick, device, or means, shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

35. No person shall expose for sale, or market or sell in any of the public markets in this City, any dead fowls, chickens, turkeys, geese, ducks, or other poultry (except partridge, wild geese or wild ducks) unless the crop be taken out first, nor unless the same have been first properly and carefully plucked, and freed from penfeathers, and any person so doing shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

BERRIES AND OTHER FRUIT.

36. It shall be unlawful to expose for sale or market cherries, currants, strawberries, raspberries, blackberries, gooseberries, cranberries, huckleberries, whortleberries, or other berries, otherwise than by the Dominion standard bushel, peck, gallon, half-gallon or quart, or by its lesser parts, multiples, or proportions, using the proper Dominion standard measure-out and its parts in each case, according to the quantity sold, and if any of the said kinds of fruit or berries are sold in "boxes" each box shall contain not less than a Dominion standard quart, and none of the said kinds of fruits or berries shall be sold, except by the Dominion standard measure as aforesaid, and any person acting contrary to this section shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly. Provided that nothing in this section contained shall prevent the sale, or subject a person to the penalty provided for a breach of this By-law for the sale, of any of the berries or fruit in this section mentioned in any vessel, such vessel being included in the sale, when such vessel is not represented as containing any of the said measures in this section mentioned.

37. It shall be unlawful to sell apples (undried), pears, plums, peaches (undried), or tomatoes, otherwise than by the Dominion standard bushel measure and its fractional parts.

FRESH MEAT.

38. Fresh meat may be sold without leave from this Council by the quarter carcase, side, or whole carcase, in any part of the City, except in Public Market No. 2, but subject to the Market fee if sold in Market No. 1.

39. Fresh sheep's, beave's and pig's heads, feet and edible

viscera, may be sold in any part of the City without a license or leave from the Council, subject as mentioned in the last section.

40 Fresh meat may be sold in a shop in any part of the City without the leave of this Council, as to the place, by any person in less quantities than by the quarter carcass upon such person obtaining a license from the City Treasurer, who is hereby authorized to grant the same upon application by such person, and upon such person paying him the sum of two dollars, and provided that a shop is approved by the Medical Health Officer.

41. Such a license shall not be for a greater period than a year, and shall terminate on the thirty-first day of December next after its issue.

42. The shops or places where any fresh meat is sold or kept or offered for sale shall be inspected by the Clerk of the Markets once in each week from May until October, both inclusive, and once every two weeks during the remainder of the year, and by the Medical Health Officer at such times as he may deem proper.

43. The keeper of any shop for the sale of fresh meat, or in which fresh meat is kept or offered for sale or sold, shall not keep or offer for sale, or sell therein, any tainted or unwholesome meat or products of meat unfit for food, and he shall also at all times keep his shop clean, wholesome and free from noxious smells and the causes of such, and to the satisfaction of the said Clerk, and the said Clerk may seize and destroy any tainted and unwholesome meat he finds in any such shop, and the said Clerk shall promptly prosecute the keeper of any such shop for any uncleanness found therein, and for any nuisance caused or permitted by him therein.

44. No person shall sell fresh meat in less quantities than by the quarter carcass in the city without a license, and no person shall sell fresh meat in the public streets or public markets in less quantities than by the quarter carcass.

45. All butchers, and persons occupying licensed shops, shall keep their shops open during the market hours at least on each and every lawful day; and any person going to such a licensed

shop, and ordering or requesting the person in charge of meat for sale there to cut off any piece of any dimensions or weight, shall be obliged to take and pay for the same, after it has been weighed, according to the price per pound as may have been agreed upon when the order or request was given or made, on pain of the penalties provided for a breach of this By-law.

46. The said licensed shops shall be thoroughly whitewashed once in each year, the cellars shall be concreted, the floors of the shops shall be thoroughly swept on the afternoon of each and every day, Sundays and holidays excepted, between the hours of two and six o'clock p.m., and the benches or stands on which the meat may be placed or laid out or exposed for sale shall be well scraped and cleaned at least daily by the owner or lessee; and all such cleansing shall be done to the satisfaction of the Clerk of the Markets. Provided, that no dogs shall be harboured or permitted in or about the said shops on any pretense whatever, and should any dog be harboured or permitted in or about any such shops, the owner or occupant of such shop who has so harboured or permitted it shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

47. All persons shall be permitted to market, sell or dispose of fresh or butcher's meat in or from their waggons, carts, sleighs or other vehicles, while the same are standing in the Public Market Number One, by the carcase, side, or quarter only, and not otherwise; and all such sales shall be made at so much per pound weight avoirdupois, or at so much per hundred pounds weight avoirdupois, according as the case may be, and not at so much by the piece, or quarter, or side, or carcase, or otherwise than aforesaid; and the said meat, if the buyer so requires, or when the weight is not marked thereon, shall be weighed on the public scales in the said market place, and not elsewhere, by the Clerk of the Markets, or lessee, or person duly in charge of the market for the time being, and for the weighing of which the vendor shall pay the charge hereinafter provided. And it shall not be lawful for the purchaser of any fresh or butcher's meat marketed and sold in Public Market Number One, and it shall not be lawful for any other person knowingly, to weigh or

permit to be weighed on his private weigh scales, any fresh or butcher's meat, marketed and sold in the said Public Market Number One, if such meat should, by the provisions of this By-law, be weighed on the public weigh scales in the said market, unless the said meat had been already weighed thereon, and no salt or dried meat shall be marketed or sold in Public Market Number One in less quantities than by ham, cheek, fitch, shoulder, side or quarter, and any person who acts contrary to this section shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

FRESH FISH.

48. It shall be lawful for any person, to whom permission may be granted as hereinafter provided by the said Council, to expose for sale and sell fresh fish in shops, to be designated by the said Council as hereinafter provided, which shops shall front on the public street, and shall be on the ground floor of the house in which they are, and, except as hereinafter provided, no fresh fish shall be exposed for sale or sold in any shop in this City, unless in a shop designated as aforesaid, and while such designation is in force and not annulled.

49. Every such shop shall be well drained and ventilated, and shall have a superficial area of floor of one hundred square feet, and shall be nine feet wide and at least eight feet six inches from the surface of the floor to the ceiling, and shall be properly fitted up, and shall be thoroughly cleansed daily, and shall be well supplied with fresh clean water, and shall be well painted with oil paint once in every year; if the walls are plastered they shall be whitewashed, if of brick, painted or whitewashed; and if of boards painted at least once in every year.

50. The said Council shall, from time to time, on application to be made to it, consider the fitness of any shop mentioned or described in any such application as a place for the sale of fresh fish, and if such shop is found fit for such purpose, then, when the Clerk of the Markets shall have certified that the requirements of this By-law are satisfied, and have been complied with as to the same, such shop may be designated and numbered by the said Council as a place in which fresh fish may be exposed for sale and sold, while such designation is in force, and no long-

er, and the Clerk of the Markets shall keep a register of all such shops, and of the numbers.

51. The Clerk of the Markets shall make a tri-weekly inspection of the said shops, and the fish exposed therein for sale, and cause all tainted and unwholesome fish to be seized and destroyed, and shall report to the said Council any non-compliance with the conditions and requirements of this By-law he may observe.

52. It shall be the duty of the keeper of such a shop to satisfy and comply with all the conditions and requirements of this By-law, in connection with the sale of fresh fish, and to do and perform, or cause be done and performed, all the painting, whitewashing, cleansing, and all other matters necessary to be done and performed, and if he make default as to any of such conditions, requirements, or matters, after the designation of such shop as a place in which fresh fish may be exposed for sale and sold, he shall be deemed guilty of a breach of this By-law, and, upon conviction thereof, shall be dealt with accordingly; and the designation of such shop, as a place in which fresh fish may be exposed for sale and sold shall be cancelled, and such shop shall be no longer so privileged.

53. Should the keeper of any shop, so designated as aforesaid, fail to meet the requirements or fulfil the conditions of this By-law, in connection with the sale of fresh fish in any respect, this Council may recall and cancel such designation, and such shop shall thenceforth cease to be a place in which fresh fish may be exposed for sale and sold.

54. Nothing in the sections of this By-law relating to the sale of fresh fish shall apply to the sale of lobsters, oysters, or other shell fish, in or out of the shell, or to the sale of sea fish in the months of December, January, February and March, or to the sale of fresh fish in the public markets or in the public streets as hereinbefore authorized.

FIREWOOD.

55 All firewood brought in to the City and exposed or offered for sale, or marketed, shall be sold by the cord, and such cord

hall contain one hundred and twenty eight feet of wood, cubic measure.

56. All cordwood brought into the City for sale, or to be marketed, shall be divided or classified into three qualities or brands, namely ; first, second, and third.

57. There shall or may be appointed by the Council one fit person, to be called the City Firewood Inspector, whose duty it shall be, on request of the purchaser or vendor, to measure and inspect all cord wood delivered, or being delivered, in the city by any party selling the same, and to certify the quality as first, second or third, and also the quantity of such cordwood, and also to inspect, ascertain and certify the quality and the quantity of all cordwood or other wood for fuel offered for sale within the City ; and it shall be the duty of the said Inspector, in every such case, to mark such quality and quantity on the wood so measured and inspected, and such Inspector shall grant, on request, to the party obtaining the inspection, a ticket containing the particulars of such inspection, with the day of the month and year of such inspection, and the names of the vendor and buyer.

58. It shall be the duty of such Inspector of firewood, when required by the purchaser of any cordwood, to see that such wood is properly and closely packed or piled, and, if necessary, he shall cause the vendor to repack and repile the same, and the vendor shall do so on request of the said Inspector, on pain of being deemed guilty of a breach of this By-law.

59. No firewood shall be deceitfully or unfairly piled so as to appear of greater measure than if fairly, closely and compactly piled, and no crooked wood shall be packed or piled with cordwood, but the same shall be packed or piled separately, the Inspector making due allowances for such crooked wood in his measurement.

60. No person shall take upon himself the duties of the Inspector of firewood, unless he shall have been regularly appointed by the City Council as herein provided.

61. The Inspector of Firewood shall not purchase any wood

which shall be brought into the City for sale, except for the consumption of himself and family, nor shall he deal in firewood.

62. Any person exposing or offering for sale cordwood by the load in the City, shall, if requested by the purchaser, obtain from the Inspector of Firewood, a certificate of the quantity and quality of such load, and any vendor refusing to do so, shall be guilty of a breach of this By-law, and shall be punished accordingly.

63. It shall be the duty of the said Inspector of Firewood, either upon request or upon information given him, or of his own accord, to inspect and examine any firewood publicly exhibited and offered for sale within the City, and in case the said firewood shall be found short of the measure before stated, or shall be found not to be closely or properly piled, the person or persons offering or exposing the same for sale, shall be dealt with as for an infraction of this By-law.

64. Before entering upon the duties of his office the Inspector of Firewood shall execute to the Corporation of the City of Kingston, a bond, himself in two hundred dollars, with two sureties in the sum of one hundred dollars each, conditioned for the due and faithful discharge by said Inspector of the duties of his office.

65. There shall be a substantial standard hand-measure constructed of oak, eight feet in length, for the measurement of firewood sold from boats, rafts, wharves or vessels, or from wood yards in this City, or in waggons, sleighs or other vehicles, and such measure shall be so graduated as to measure one cord, one half cord, and one quarter cord, and shall also be graduated on a scale of feet and inches; and said standard measure shall be in charge and under the control and superintendence of the City Firewood Inspector, and all firewood sold within the City by the single cord, half cord, or quarter cord, or in quantities to be delivered in yards or other places, shall be sold according to said measure, and the said Inspector shall also be furnished with a standard chain-measure eight feet in length, graduated in lengths of cords, half, and quarter cords, which chain-measure and standard hand-measure shall be for measuring all such fire-

wood delivered in loads or quantities; and should the owner or vendor of said wood decline or refuse to have the same measured as aforesaid he shall be deemed guilty of a breach of this By-law and subject to the penalties thereof.

FORESTALLING.

66. No person shall be guilty of the offence of forestalling, regrating or monopolizing within the City, of oats, meats, fish, fruits, roots, vegetables, poultry, or dairy products, eggs or any article required for family use, or such as are usually sold in the market, brought into the City for sale, and no person shall buy any of the said articles, except for his own family use, before the hour of ten o'clock A.M., and no butcher, grocer, huckster, or runner shall purchase any of the said articles in any of the public markets, or in any other part of the City from persons bringing such things into the City to be sold or marketed before the hour of ten o'clock A.M., and no person knowingly shall sell any of the said articles to any butcher, grocer, huckster or runner in any of the said markets, or elsewhere in the City, before the hour aforesaid, and notwithstanding that such articles are in any of the said instances, sold or bought for export from the City, and no butcher, grocer, huckster or runner, shall, before the hour of ten o'clock A.M., in any of the said markets, or elsewhere in the City, go to any waggon, sleigh or vehicle, in which articles are exposed for sale, to bargain or offer for the purchase of, or make a standing offer of a price for any article to be paid to the vendor in case the vendor fails to sell such article to another purchaser at a higher price, or shall keep back or hinder other persons from purchasing, or shall crowd or throng them while purchasing, and any butcher, grocer, huckster or runner so doing or refusing to desist and go away, or otherwise acting contrary to this section, shall be deemed to be guilty of a breach of this By-law, and be punishable accordingly.

SALES PROHIBITED ON MARKET PLACE NO. I.

67. It shall be unlawful for any person to offer or expose for sale, or to sell or market in Public Market Number One, or in any vacant lot or lots adjacent thereto, any tinware, metalware, earthenware, woodenware, pens, pencils, paper, envelopes or

other stationeryware, knives, or hardware articles, or iron, brass, copper, bronze, lead, steel or composition, or other metal tools, vessels or articles of any kind, or farming implements, or farming or agricultural machines of any kind, or jewelry, or imitation jewelry, or sweets or confectionery of any kind, or oils, soaps, essences or pertumery, or patent or other medicines or drugs, or the compound thereof, or the materials in any form of which the same are composed, (except native bark roots and herbs), or saddlery or harness, or waggons, or sleighs or other vehicles, or any household furniture, carpets or stoves, or grates, or other household utensils or articles of any kind, and any person so doing shall be held to be guilty of a breach of this By-law and shall be dealt with accordingly.

MISCELLANEOUS.

68. All dealers, hucksters, and others within the City, selling or retailing any produce, grain, clover, timothy seed, potatoes, tubers or other roots, commodities or articles, shall sell or retail the same under the conditions set forth in the provisions of this By-law in that behalf, and not otherwise.

69. When any article is publicly offered for sale and marketed within the said City, under the laws or By-laws relating to the public markets, and earnest money is paid and received between buyer and seller, both parties shall be compelled to abide by their bargain and complete the sale and delivery, unless sufficient reason shall be shown to annul the bargain before the Police Magistrate, or before the Mayor or any Alderman of the City acting for the Police Magistrate, as the case may be, and the person refusing to carry out any such bargain shall be dealt with as for a breach of this By-law of which he shall be deemed guilty.

70. No gambling of any nature whatsoever, nor any games for pleasure or amusement, shall be allowed in the public market places or market houses, nor shall there be any dog-fighting in or at any of the said places, and the standing by and encouraging of any such gambling, gaming or dog-fighting, shall be deemed *prima facie* evidence of participation in or being an ac-

essory to such gambling, gaming or dog-fighting, and any person infringing this section shall be dealt with as for a breach of this By-law. Provided always that should any dog-fighting take place in any of the aforesaid places, if it be a set or promoted fight, the owner and persons inciting such fighting shall be dealt with as for a breach of this By-law, of which they shall be deemed guilty.

71. Any person who shall make use of any profane swearing, indecent, abusive or blasphemous language, or who shall be guilty of wrangling or other disorderly conduct in the market houses or market places, shall be deemed guilty of a breach of this By-law.

TARIFF OF MARKET FEES.

72. That the following market fees, and weighing fees or charges, and none others, shall be paid by the vendors, and collected by the Clerk of the Market, or his assistant, or the lessee of the said fees and charges, as the case may be :

- Upon each load of hay (not in bundles) contained in a waggon, sleigh or other vehicle, brought to the Market Place, excluding weighing charge..... 7 cents.
- Upon each load of straw (not in bundles) contained in a waggon, sleigh or other vehicle, brought to the Market Place, excluding weighing charge..... 5 cents.
- Upon articles (not herein specially named) brought to the Market Place in a vehicle drawn by two horses upon which fees may be imposed.....10 cents.
- Upon the same if drawn by one horse..... 7 cents.
- Upon each load of cordwood, or other firewood, lumber, shingles, laths or ladders, brought to the Market Place in a vehicle drawn by two or more horses or other animals..... 7 cents.
- Upon the same, if drawn by one horse or other animal 5 cents.
- Upon each load of hay or straw, in bundles, brought to the Market Place in a vehicle drawn by two or more horses or other animals..... 7 cents.

- Upon the same if drawn by one horse or other animal 5 cents.
- Upon the article or articles contained in any crate, barrel, bale, box, hand-cart or wheelbarrow, brought to the Market Place for sale, per day..... 5 cents.
- Upon the article or articles contained in any pail or basket brought to the Market Place for sale, per day 1 cent.
- Upon the article or articles contained in any bag or package, not enumerated, brought to the Market Place for sale, and not occupying a greater space than 18 inches square, per day, and so in proportion 1 cent.
- For each horse or cow, offered or exposed for sale in the Market, per day..... 13 cts.
- Upon each pig, sheep, lamb or calf, brought to the Market Place to be offered or exposed for sale apart, and separate from waggons or sleighs, per day 3 cents.

WEIGHING FEES OR CHARGES.

- All draughts to 50 lbs. inclusive..... 2 cents.
 - “ from 50 to 100 lbs. inclusive 3 cents.
 - “ from 100 to 200 lbs. inclusive..... 5 cents.
 - “ from 200 to 1,000 lbs. inclusive..... 8 cents.
 - “ from 1,000 lbs. to 2,000 lbs. inclusive.....12 cents.
 - “ from 2,000 lbs. and upwards25 cents.
 - For weighing one load of hay.....13 cents.
 - For weighing one load of straw..... 7 cents.
 - For weighing each head of cattle10 cents.
 - For weighing each cart or waggon load of coal 5 cents.
- And no person shall sell or offer for sale, any grain, meat, vegetables, fish, hay, straw, fodder, wood, lumber, shingles, farm produce of any description, small ware, or any other articles on any market place within this City, without paying, when demanded, the proper market fee, or weighing fee or charge required to be paid, by or under this section.

73. Provided that no market fee shall be imposed or collected upon, or in respect of, any grain, seeds, dressed hogs or wool, exposed for sale on that part of any street immediately adjoining

or surrounding, or being within one hundred yards of either of the said market places, Numbers 1 and 2, as hereinbefore defined, or upon the vehicles containing the same.

74. It shall be the duty of every person liable to pay a market fee, or weighing fee or charge under the provisions of this By-law relating to the public markets, to pay the same to the person entitled to receive the same when demanded, and before leaving the market if time for payment has been allowed.

75. Any person who, being liable, shall refuse or neglect to pay the proper market fee, or weighing fee charge, fixed and imposed by section 72 of this By-law in the case, when demanded by the Clerk of the Markets, or Lessee of the Market fees, and weighing fees and charges, or other person duly appointed to receive or demand the same, or who being liable, shall leave the Market Place without paying the same, shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

76. This By-law shall come in force, and take effect on its passing.

No. 493.

A By-Law to Encourage the Planting of Trees for Shade and Ornament in Certain of the Public Streets, Highways, Squares, and Public Places of the City of Kingston.

Passed Monday, May 14th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. From and after the passing of this By-law Section 3, of Chapter 201, Revised Statutes of Ontario (1887), shall apply to and be in force in the said City of Kingston.

2. There shall be paid out of the general funds of this Municipality a bonus of the sum of 25 cents for each and every tree of the kind mentioned in Section 4 of the said Act, decided upon by the Inspector of Trees as hereinafter provided, which shall hereafter, under and in accordance with the provisions and under the authority of this By-law, be planted within this Municipality.

3. Payment of the said bonus shall be made upon the certificate of the said Inspector that the trees in respect of which it is demanded have been properly planted under his supervision, in accordance with the provisions of this By-law, and are healthy and growing, and appear likely to continue so, and have been planted at least six months; and such certificate shall contain also the names of the persons who planted the said trees, and are entitled to the said bonus.

4. The City Engineer for the time being is hereby appointed to be Inspector of Trees under the said Act and this By-law.

5. No person or persons shall injure any of the trees so planted, and no person or persons, including the owner, shall remove any of the trees so planted, excepting as authority may be given therefor by a special resolution of this Council in that behalf.

6. No person shall tie or fasten any animal to, or injure or destroy, a tree planted and growing upon any road or highway,

or upon any public street, lane, alley, place or square, or upon any boundary line of farms, if any such bonus or premium as aforesaid has been paid therefor, in this Municipality, or suffer or permit any animal in his charge to injure or destroy any such tree, or cut down or remove any such tree without having first obtained permission so to do by special resolution of the Council of this Municipality, and any person so acting or doing shall be dealt with under and incur the penalty prescribed by Section 8 of the said Act.

7. No person shall tie or fasten any animal to, or injure or destroy any tree growing for the purposes of shade or ornament upon any boundary line between farms or lots, or suffer or permit any animal in his charge to injure or destroy or cut down or remove any such tree without the consent of the owner or owners of such tree, and any person so doing shall be subject to the like penalties and liable to be proceeded against and dealt with as mentioned and provided in the preceding Section of this By-law.

8. Trees may be planted under the provisions of the said Act and of this By-law in any public street, highway, square, or public place, in the said City, except in the following public places, namely :—

(a) The Market Square, No. 1 Market, and the Market Place No. 2 Market, in which no trees shall be planted.

(b) The following parts of streets, in which parts of streets no trees shall be planted unless upon leave granted by a special resolution of this Council, based upon a written application to this Council, which shall be first referred to the Board of Works for its report, namely :—

Princess Street, both sides, between Barrie Street and the Harbour.

Brock Street, both sides, between Bagot Street and the Harbour.

Clarence Street, both sides, between Wellington Street and the Harbour.

Ontario Street, both sides, between William Street and the west end of Cataraqui Bridge.

King Street, both sides, between Johnston Street and Queen Street.

Wellington Street, both sides, between Clarence Street and Queen Street.

Bagot Street, both sides, between Brock Street and Princess Street.

Montreal Street, both sides, between Princess Street and Queen Street.

9. The Inspector shall decide upon the species of trees, among those named in said Section 4 of the said Act, which may be planted under the authority of this By-law, having regard to the soil and place and the suitability of the species, and no trees, unless they are of the species so decided upon by the Inspector as aforesaid, shall be planted, and no trees shall be planted in such a position that their roots may or might enter or injure or obstruct any sewer or drain, or so that such trees will obstruct the entrance to any street, lane, alley, or gateway.

10. All planting of trees done under the authority of this By-law shall be done after due notice in writing to the Inspector, and such notice shall contain the names of the species of trees proposed to be planted, and the Inspector shall decide thereon as aforesaid, and mark the distance out from the sides of the street or public place, and from the sides of the sidewalks therein, and the distance between each other at which the said trees shall be planted, and generally direct the manner of such planting.

11. No such tree shall be planted except in the months of April and May and September, October and November in each year.

12. No person shall plant any tree on any street, square, or public place, in which the planting of the same is not authorized or permitted by this By-law, or plant any tree contrary to the provisions of this By-law, or plant any tree without three days previous written notice to be given to the Inspector as aforesaid or at any other distance from the side of the street, square or public place, or from any other tree, or the place marked for the planting of any other tree, than the distance in each case given and marked by the Inspector, who shall without delay in all

cases in which the planting is lawful and may be permitted, upon receiving such notice as aforesaid, proceed to measure and mark the said distances on the ground.

13. Any tree planted in any street, square, or public place, of this City, contrary to the provisions of this By-law, shall be immediately removed by the Inspector, who shall also prosecute the person or persons who planted the same as for a breach of this By-law, and it shall also be the duty of the said Inspector to prosecute all the persons or bodies corporate contravening any of the provisions of the said Act or of this By-law.

14. It shall be lawful for this Council to cause any tree, shrub, or sapling, growing or planted in any public place, square, highway, street, lane, alley, or other communication under its control, to be removed, if and when such removal is deemed necessary for any purpose of public improvement, but no such tree, shrub, or sapling, shall be so removed until after one month's notice thereof is given to the owner of the adjoining property, and he is recompensed for his trouble in planting and protecting the same, and no such owner, or any other person whomsoever, shall remove, or cut down, or injure, any such tree, shrub, or sapling, on pretence of improving any such public place, square, highway, street, road, lane, alley, or other communication, or otherwise, without the express permission of this Council, but this Section is subject to Section 13 of this By-law, as to any trees planted after this By-law comes in force contrary to the provisions of this By-law, and as to any trees planted contrary to the provisions of the By-law to encourage the planting of trees in this City, passed May 3rd, 1886.

15. This By-law shall come in force and take effect on its passing.

No. 494.

**A By-Law for Licensing and Regulating Milk Vendors within the
City of Kingston, and Fixing the Fee to be paid for such
License, and for other Purposes.**

Passed Monday, May 14th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. No person shall sell or vend milk within the City of Kingston without first having obtained license to do so.

2. Every milk vendor who sells or vends milk within the City of Kingston shall have and keep on the premises in which the milk is sold and upon every waggon, sleigh or other vehicle, in which the milk is conveyed, a sign, on which shall be inscribed in plain and legible characters the name of such person and his registered number as shown by the license issued to such person.

3. Every license issued under the authority of this By-law, unless it is expressed to be granted for a shorter period, or unless the same shall be sooner forfeited, shall be in force from the date thereof until the thirty-first day of December next succeeding such date, and no longer.

4. Every person requiring a license under the provisions of this By-law shall make application therefor in writing to the City Inspector of Milk, and shall sign an undertaking or agreement in the Inspector's presence to the effect prescribed by this By-law, and also for the due observance of the By-laws of the City of Kingston relating to or passed or to be passed in connection with the licensing and regulating of milk vendors, and the selling or vending of milk within the City of Kingston, including this By-law, and also of the conditions to the licenses hereby prescribed, and also to vend only the quality of milk allowed by this By-law to be sold, which shall also be a condition of said licenses.

5. Every person to whom a license shall be issued under the

authority of this By-law shall produce the same whenever it may be demanded by the said Inspector or by the Police Magistrate, or any member of the Police force of the said city, or other person duly authorized.

6. The said license shall be issued by the City Treasurer upon the written recommendation of the City Inspector of Milk. upon his receiving the license fee therefor, without the payment of which the license shall have no force or effect, and the license must show that the fee has been received, and the licenses shall be numbered in yearly series as issued, and a list of the same and the licenses shall be kept by the City Treasurer.

7. The fee for a license issued under the provisions of this By-law shall be and the same is hereby fixed at One Dollar for one year, and so in proportion.

8. No license shall be granted under the provisions of this By-law unless and until the said Inspector has, with the City Medical Health Officer, inspected and approved of the place where the cows are kept which supply the milk sold or intended to be sold within the City of Kingston by any person applying for a license under the provisions of this By-law, and the place wherein said milk is kept that is sold or intended to be sold within the said city, by any such person, and every such person shall, in his application for a license as aforesaid, give a full and correct statement of his name and address and the place where he keeps his cows that supply the milk, and if the milk is not from his own cows, the places where the cows which supply the milk are kept and the names and addresses of the persons from whom it is purchased by such person, and the place where he keeps the milk intended for sale, or sells the same, and shall report any changes in these respects and any new sources of supply, as soon as they occur, to the said Inspector.

9. Each dairyman or milk vendor holding a license under this By-law shall agree as a condition of receiving license to comply with the various clauses of the Public Health Act and amending Acts by giving notice to the Local Board of any cases of contagious animal disease (defined in the Public Health Act) occurring amongst his cattle, or of any scheduled contagious

diseases in his family or on the farm or in the house or shop at which, from which, to which, or in which the milk is either produced, sent or received, and otherwise, and that he further shall carry out and observe the restrictions and obligations laid upon him by the Local Board under any Public Health Act.

10. No person shall sell or offer for sale or vend milk within the City of Kingston unless the same is of the standard qualities and grades as follows, the test values of each such grade of milk as shown by the Feser Lactoscope, to be as follows:—

| | | |
|---------------------|------|----------------|
| No. 1 Quality | 4.25 | per cent. fat. |
| No. 2 " | 3.50 | " " |
| No. 3 " | 3.00 | " " |

and no person shall sell or offer for sale or vend milk within the City of Kingston from which any cream or valuable constituent has been extracted or taken, or partly extracted or taken, or to which any annato or colouring matter or ingredient or any water has been added, or if it is the product of a diseased animal or of an animal fed upon unwholesome food; provided that skimmed milk may be vended or sold as such as hereinafter provided.

11. No person shall sell or offer for sale or vend within the City of Kingston skimmed milk for unskimmed or pure whole milk, or a mixture of the two kinds for unskimmed or pure whole milk, or mix water with the milk he sells for sale whether it be as pure, whole, or unskimmed milk, or skimmed milk.

12. Skimmed milk may be sold or vended within the City of Kingston as such, by licensees under this By-law, if contained in cans or vessels bearing upon their exterior in a conspicuous place where it may be readily and easily seen by the purchaser the word "Skimmed" in letters not less than two inches in length, and served in a measure also similarly marked, but no person shall supply such skimmed milk unless it is asked for by the purchaser.

13. Every license granted under the provisions of this By-law shall be subject to the following conditions, that is to say—

(1) That the provisions of this By-law shall be strictly and fully observed by the Licensee.

(2) That the licensee shall at all reasonable times allow his cows, cow-stables, cow-byres, dairy or premises, where his milk is produced or kept for sale or sold, to be inspected by the said Inspector, Medical Health Officer and a Veterinary Surgeon, or either of them, such inspection to be made at reasonable times in the day time.

(3) That the place in which the milk is sold or kept before, and for, sale, and the place in which the cows supplying such milk are kept, are and shall be kept clean and wholesome and fit for the said purposes, and are and shall be kept and conducted in such a manner that the said milk shall not contain any matter or thing liable to produce disease either by reason of adulteration, contamination with sewage in any way, absorption of disease germs, infection of the cows, improper feeding of the cows, supplying the cows with water for drinking which is contaminated with sewage or with stable, byre, or privy emanations, or is otherwise unwholesome, or any other recognized cause, and that he will allow said Inspector, Medical Health Officer, and Veterinary Surgeon, to inspect his cows, byres, or stables and dairy premises and places, in this and the preceding condition mentioned, when and as often as they or any of them may deem necessary and as hereinafter provided.

(4) That the building in which the licensee's cows are kept is well ventilated, well lighted and thoroughly drained, and that the floors are close so as to prevent leakage to the ground beneath.

(5) That there is a good water supply for the cattle so situated as to secure freedom from pollution.

(6) That ample space is provided for turning out the cattle in winter-time.

(7) That the yard or ground surrounding the stables is thoroughly clean and free from stagnant water, manure and other offensive matter, and shall be so kept.

(8) That before any license is granted under this by-law, the applicant must obtain and produce a certificate from the said Medical Health Officer, that the conditions contained in paragraphs 3, 4, 5, 6 and 7 of this section are complied with and exist on applicant's premises.

And upon the breach of any of the conditions contained in paragraphs 1, 2, 3, 4, 5, 6 and 7 of this section such license shall forthwith become null and void.

14. A book shall be kept by the said Inspector in his office in which shall be entered the names of all persons authorized to sell or vend milk within the City of Kingston, the places where the milk is kept for sale, together with the places where the cows supplying the milk sold or offered for sale or vended are kept, the number of cows kept by each Licensee who keeps cows, the number of cows kept by persons supplying the Licensee with the milk sold or vended by him, and such other particulars as the City Council shall from time to time require.

15. Every License holder under the provisions of this by-law shall, as a condition of his being licensed and of his license being continued, at all reasonable times in the day time, during the currency of his license, permit and allow the said Inspector and Medical Health Officer or either of them, or any Veterinary Surgeon appointed by the Mayor, or by this Council, for that purpose, freely to make the inspections provided for in the conditions 2 and 3 of section 13 of this by-law, and the license of any Licensee refusing to permit or allow any such inspection shall thenceforth become null and void.

16. Any person guilty of a breach of any of the provisions of this by-law shall, upon conviction, forfeit and pay a fine not exceeding \$50 nor less than \$1 for each offence, exclusive of costs; and, in case of non-payment of the fine and costs inflicted for any such breach, as ordered to be paid by the convicting Justice, the same may be levied by distress and sale of the goods and chattels of the offender, and in case there shall be no sufficient distress found, out of which such fine and costs can be levied, the offender may be imprisoned in the Common Jail of the County of Frontenac, with or without hard labor, for any period not exceeding six months unless the said fine and costs be sooner paid, provided that this section shall not apply to a breach of any provision of this by-law, or of any condition of the licenses issued under it, in cases where the license to be issued under this by-law is declared by this by-law to become null and void as a consequence of such breach.

17. This By-law shall come in force and take effect on its passing, but nothing in this By-law contained shall in any way affect the By-law relating to the inspection of milk or the duties of the said Milk Inspector under the same.

18. The following shall be the form of the license to be issued under this By-law :—

MILK VENDOR'S LICENSE. No.....

..... of.....having agreed to conform to the terms and conditions contained, and as is prescribed, in the By-law entitled "A By-law for Licensing and Regulating Milk Vendors within the City of Kingston, and fixing the fee to be paid for such License and for other purposes," and in all things to obey and observe the said By-law as conditions of the granting hereof, is hereby authorized to engage in the business of Dairyman or Milk Vendor in the City of Kingston for the period from.....to the thirty-first day of December next ; provided always that should any violation of any provision of the Public Health Act or amending Acts, or of the said By-law, or of his or her agreement to conform thereto, and to the said By-law, be proved to the satisfaction of the Finance Committee of the City Council, this license may at any time be cancelled by said Committee, and it shall also become null and void upon breach of any of the conditions contained in paragraphs 1, 2 and 3 of Section 13 and Section 15 of the said By-law.

Issued this day of.....A.D. 18.....

.....

City Treasurer.

No. 49E.

**A By-Law Respecting Water Rates or Rents in Arrear, and to
Provide for the Collection of the same by Distress
in Default of Payment after Demand.**

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City
of Kingston, as follows :—

1. That from and after the passing of this By-law, immediately after the expiration of one month from the end of each quarter or three months, reckoning from the first day of January in each year, a list or roll of the water rates or rents then still remaining due and unpaid for the said quarter, with the amounts thereof, the names of the persons in default therefor, and a general description of the respective premises which have been served with the water in respect of which service the said water rates or rents are respectively due and in arrear, shall be prepared under the superintendance of the City Treasurer of the City of Kingston, or other officer of the said Corporation discharging the duties the said Treasurer now discharges in connection with the Water Works Department of the said City, and shall be signed by the said Treasurer, or other officer, and shall be delivered by the said Treasurer, or other officer, to the Collector of Taxes of the said City for the time being, who shall proceed to collect the said water rates or rents in the manner provided by law for the collection of municipal taxes, by the distress and sale of the goods and chattels of the persons owing the same respectively, or of any goods and chattels in their possession respectively, wherever the same may be found in the said City of Kingston, or of any other goods and chattels found on the premises served with the water in respect of which service the said water rates or rents are due and in arrear, the property of or in the possession of any other occupant of the said premises, after having duly demanded payment thereof as provided in the case of municipal taxes, and default in payment after demand having been made for the period

limited by the Assessment Act in the case of municipal taxes, and the said Collector is hereby authorized to sign all demands, warrants, receipts and other documents, and appoint all bailiffs, necessary or required, in and about such collection of the said rates or rents. Provided that where the arrears exceed one quarter no distress shall be made of any goods and chattels which are not the property of the person liable for the water rate or rent, and the said Collector shall enter on the said list or roll the date of each demand of payment of water rates or rents made by him.

2. That the said Collector shall, on the last day of the month of December in each year, return to the said City Treasurer, lists and amounts of the said water rates or rents contained respectively in the several quarterly lists or rolls as aforesaid, delivered to him then remaining uncollected and unpaid, with the reasons for such non-collection, together with the said respective quarterly lists or rolls, shewing each water rate or rent collected by him marked "paid," with the date of such payment, and the said Treasurer shall then proceed to collect the said respective water rates or rents still remaining uncollected and unpaid, as shown by the said lists, with interest at the rate of ten per centum per annum thereon, from the fifteenth day after the date of the demand of payment thereof respectively, by the said Collector, as shall appear in the said quarterly lists or rolls containing such water rates or rents respectively, by the sale of the lands and premises liable, and on which the said water rates or rents are and form by law a lien and charge respectively, in the same manner, and subject to the same provisions, as in the case of the sale of non-resident lands for arrears of municipal taxes, as by law provided.

3. That the said Collector shall be entitled to receive from the City Treasurer, and shall be paid by him for the collection of said water rates or rents, one and one-tenth per centum on the amount collected.

4. That the said Collector shall pay over each day to the City Treasurer, or other officer as aforesaid, all the water rates or rents collected or received by him on the preceeding day, and

shall make statutory declarations, respecting the collection of the same, similar to those required to be made by him in the case of the municipal taxes.

5. Provided that nothing herein contained shall be held to repeal or otherwise affect the By-law respecting the collection of water rates or rents in arrear for the quarter ending on the thirty-first day of December, 1887, passed on the 5th day of March, 1888.

6. That this By-law shall come in force and take effect on its passing.

No. 496.

A By-Law Respecting the Cleaning of Privies and the Removal of Night Soil.

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. That from and after the passing of this By-law it shall not be lawful for any person within the said City, to open or cause to be opened, any privy, privy vault, or pit, or cess-pool, or to remove, or cause to be removed, any night soil or other contents from any privy, privy vault, or pit, or cess-pool, or to draw or carry any night soil or other contents of any privy, privy vault, or pit, or cess-pool, through any of the streets, lanes, or other thoroughfares, in the said City, unless the same be done by means of the odourless day system, and the use and adoption of the odourless excavation, and between the hours of seven of the clock in the forenoon and six of the clock in the afternoon.

2. No person shall engage in the business of privy cleaning, or be permitted to remove night soil within the limits of the City of Kingston, unless and until he shall have submitted his application for carrying on the said business for the approval of this Council, and shall have obtained a certificate of his possessing the necessary means and apparatus required in such business, and of his having complied with the regulations contained in this By-law, and with any regulations prescribed by this Council, or by the Local Board of Health, with regard to the removal of night soil and the cleaning of privies, privy vaults, and pits and cess-pools, which certificate is to be granted by the City Commissioner, who shall be entitled to demand for the same a fee of twenty-five cents, to be paid over by him forthwith to the City Treasurer of the said City for the general purposes thereof.

3. It shall not be lawful for any person so authorized to carry on the business of privy cleaning and the removal of night soil in the said City, to open any privy, privy vault or pit, or cess-pool, or other receptacle of night soil, desired to be cleaned, until he shall have first obtained the written permit of the said City Commissioner, who shall keep a record of permits granted, and the names of persons to whom the same shall have been granted.

4. It shall not be lawful for any person engaged in the said business of cleaning privies and removing night soil under the provisions of this By-law to make a charge of more than two dollars and fifty cents per cubic yard of matter removed, and so in proportion as to the quantity removed, if the quantity removed is more than one cubic yard, and if the quantity removed is less than one cubic yard the charge shall not be more than three dollars.

5. The persons engaged in the said business shall at all times observe and comply with this By-law, and also with any By-laws and regulations made or to be made by this Council, or by the Local Board of Health, in relation to privy cleaning and the removal of night soil, and the placing, depositing and disposing of the same, and any default herein shall be deemed to be a breach of this By-law, and shall be punished accordingly, (unless a penalty is elsewhere provided by law), and the offender may be prohibited and prevented from further continuing the said business in the said City.

6. The right to engage in the said business in the said City shall be granted for one year or part of a year, as the case may be, ending on the first day of January in each year, when it may be renewed for one year, and such right shall be conditional on the person to whom it has been granted, strictly at all times observing and complying with the provisions of this By-law, and the said By-laws and regulations hereinbefore mentioned, and upon any default herein the right shall be forfeited and may be withdrawn.

7. That it shall be the duty of every such licensee to clean out every such privy, privy vault, pit, or cess-pool, on application to him for that purpose and being tendered his proper fees.

8. This By-law shall come in force and take effect on its passing.

No. 497.

A By-Law to Appoint a General Scavenger for the City of Kingston, and to Define his Duties and the Prices to be Charged by Him.

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. This Council may from time to time, as may be required, by resolution, appoint an officer to be called the General Scavenger for the City, but not more than one such officer shall be employed at any one time except in case of emergency.

2. The said officer shall have the necessary qualifications for the duties he is to perform, and shall possess, as his own property, one or more horses and carts as may be necessary, with harness and proper tools and apparatus to enable him to perform his duties, all which shall be suitable for the work and shall be subject to the approval of the City Commissioner and such as he shall require for the work.

3. The said officer shall hold office during the pleasure of this Council.

4. It shall be the duty of the said officer to remove to the City nuisance ground, wherever it may be for the time being, from the citizens' premises when required, once each day, Sunday excepted, before the hour of 10 o'clock a.m., from the fifteenth day of May till the first day of November in each year, and before noon during the rest of the year in each year,

(a) All earth and matter in and from all dry earth closets in the City ;

(b) All garbage, kitchen refuse, offal, and other decomposing matter, or matter liable to decompose or to cause offensive smells,

5. The said officer shall also supply all the citizens, who require it, dry earth for their dry earth closets,

6. The said officer shall and may charge and receive for the above services, from the citizens who employ him, the fees and charges set out in the Schedule to this By-law, and he shall not charge or take for his said services any more or greater fees or charges than are so set out in said Schedule for such services and such fees and charges shall be his only remuneration for said services.

7. The said officer, upon being required by any citizen to perform any of the above services, shall promptly and without any unnecessary delay, proceed to perform the service or services so requested.

8. The said officer shall also remove at the times aforesaid all carcasses of animals found in the public streets and highways of the City, when found by him or when requested to do so by any officer or policeman of the City, for the price provided in the said Schedule in that behalf, which shall be paid him by the Council.

9. The said officer shall be under the supervision of the City Commissioner, who shall see that he performs his duties properly, and shall receive all complaints against him and enquire into the same and report to this Council.

10. The said officer, if he contravenes this By-law, shall incur the penalty provided for a breach thereof, and it shall be the duty of the said City Commissioner to prosecute any such officer for every such breach of this By-law which may be committed by such officer.

11. This By-law shall come in force and take effect on its passing.

SCHEDULE

Referred to in the Foregoing By-law.

1. For removing earth and matter from dry earth closets, per barrel of 40 gallons capacity each50c.
2. For the same, per half barrel25c.
3. For removing garbage, kitchen refuse, offal and other decomposing matter, or matter liable to decompose, per barrel of 24 gallons capacity each10c.
4. For the same, per half barrel05c.
5. For carcasses of animals such as dogs, cats, hogs, calves, and all kinds of fowl, found upon the public streets and highways, each25c.
6. For carcasses of animals such as horses, cattle and other large animals not hereinbefore enumerated, each...\$ 1 00
7. For supplying earth for dry earth closets per barrel of 24 gallons capacity, each25c.

No. 498.

A By-Law Respecting Tavern and Shop License Duties.

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. From and after the passing of this By-law for each and every license year hereafter while this By-law shall remain in force, the sums to be paid for a tavern and a shop license respectively, in and for the City of Kingston, under "The Liquor License Act" of the Province of Ontario, shall be, for a Tavern License the sum of \$200, and for a Shop License the sum of \$200, over and above and in addition to the further duty in each case imposed by Section 44 of the said Act.

2. This By-law shall come in force and take effect on the expiration of the said license year.

No. 499.

**A By-law Respecting the Levels of Cellars and Basements, and
Ground or Block Plans of Buildings, in the City of Kingston.**

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston as follows :—

1. From and after the passing of this By-Law it shall be lawful for the City Engineer of the City of Kingston, and his assistant, at proper hours of the day, and after reasonable notice given and request made to the owner, tenant or occupant of any house or building fronting upon or along any public street in the City of Kingston, and they are required when necessary to do so, to enter into and upon said house or building for the purpose of ascertaining, and to ascertain, the level of the cellar or cellars of such house or building, heretofore dug or constructed, or which may hereafter be dug or constructed, along said street, such levels to be with reference to the grade line of said street, and the City Engineer shall preserve a record of all such levels so ascertained in his office.

2. It shall be the duty of the owners, tenants, or occupants of houses, buildings or properties, fronting upon and along the public streets of the City of Kingston, and they are hereby required, to furnish this Council, within a reasonable time, with the levels of their cellars, heretofore dug or constructed, or hereafter to be dug or constructed, along said streets, in or upon such houses, buildings or properties, such levels to be with reference to the grade lines of the said streets respectively, upon and along which the said houses, buildings or properties respectively front, and the City Engineer shall keep on file in his office all such levels so furnished, and any owner, tenant or occupant neglecting to furnish such levels as aforesaid, shall be deemed to have committed a breach of this By-law, and shall be dealt with accordingly.

3. Before commencing the erection of any building in the City of Kingston a ground or block plan of such building, with the levels of the cellars and basements of the same, with reference to the grade line of the public street upon or near which such building fronts, shall be deposited by the owner or person by or for whom the said building is to be erected, with the City Engineer, in his office, and the City Engineer shall file all such plans in his office, and all such plans shall be drawn in black ink on thick white paper, and shall be on a scale of eight feet to an inch.

4. No person shall prevent, hinder or obstruct, the City Engineer or his assistant, performing any duty they are authorized or required to perform by this By-law, after such notice and request as aforesaid has been given and made.

5. This By-law shall come in force and take effect on its passing.

No. 300.

A By-law to Provide the Means of Ascertaining and Determining what Real Property will be Immediately Benefited by any Proposed Work or Improvements, the Expense of Which is Proposed to be Assessed upon the Real Property Benefited Thereby, and of Ascertaining and Determining the Proportions in Which the Assessment of the Cost is to be Made on the Various Portions of Real Estate so Benefited, and for Other Purposes.

Passed Monday, October 15th, 1894.

Be it enacted by the Council of the Corporation of the City of Kingston as follows :—

1. The City Engineer of the City of Kingston for the time being shall be, and he is hereby appointed to be, the officer or person who shall, from and after this By-law takes effect, ascertain and determine what real property will be immediately benefited by any proposed work or improvement in the City, the expense of which is proposed to be assessed upon the real property benefited thereby, and also the proportions in which the assessment of the cost thereof is to be made on the various portions of real estate so benefited by such work or improvement ; and the said Engineer shall at the same time prepare a statement of the said portions of real estate, giving a general description of each, with the names of the owners thereof, so far as they can be ascertained on the last revised assessment rolls, or are otherwise known to him, the frontages thereof which he shall ascertain by measurement, and the proportions in which the assessment of the cost of such work or improvement is to be made on the said portions of real estate, as aforesaid ; and he shall also, at the same time, ascertain by measurement the frontages of the property exempt from taxation, and the part of the cost of any such work or improvement to be provided out of the general funds of the Municipality, under the provisions of " The Consolidated Municipal Act," 1892, as amended, in that behalf, and

include the same in said statement, respectively, together with a short description of the work or improvement, and a statement of the estimated cost of the work or improvement, and such statements shall be regarded as constituting a statement of assessment of the said properties for their respective proportions of the cost of the work or improvement, and of the descriptions and frontages thereof, respectively, and shall be the basis of the statement required by sub-section 6 of section 618 of "The Consolidated Municipal Act, 1892," as amended, or may be adopted and used as such statement, and shall also be the basis of the special assessment to be submitted to the Court of Revision of the properties benefited by the work or improvement, and the proportions of its cost to be assessed on the said properties, and the names of the owners, as aforesaid, respectively, and of the descriptions and frontages of the same, whether such work or improvement be proceeded with under a petition sufficiently signed, or on the initiative of the City Council, or under section 616, sub-section 4 of the said act, as amended, or under section 619, sub-section 3, clause a, of the Act, as amended, and whether the said assessment be made before, or after, the completion of the work or improvement and its final cost ascertained, but in the latter case the said City Engineer shall adjust the said proportions of the final cost of the improvement to be assessed on the properties benefited in accordance with the said final cost, and, in all cases, he shall make such amendments as may prove to be necessary, and all such ascertainment and determinations, adjustments and amendments, made by the said City Engineer, shall be subject to the right of appeal to the Court of Revision and the County Judge, of the owners or persons duly interested, as provided in the said Act, as amended, as aforesaid. Provided always that in ascertaining and determining the proportions in which the assessment of the cost of any such work or improvement is to be made on corner lots, or triangular or irregular shaped pieces of land, situated at the intersections of junctions of streets, the said City Engineer shall have due regard to the situation, value, and superficial area of such lots as compared with adjoining lots and pieces of land assessable for such work or improvement, and shall fix

the proportions of the frontages of said corner lots, or triangular or irregular shaped pieces of land, fronting on any such work or improvement to be assessed, and the proportions in which the assessment of the cost of any such work or improvement is to be made on said corner lots, or triangular or irregular shaped pieces of land, and shall assess the same in an equitable manner, but subject to the direction, from time to time, of the Board of Works of the City Council, and of this Council, and subject to the right of appeal aforesaid, and provided further that the amount of any allowance made on any such corner lot, or triangular or irregular shaped pieces of land, as aforesaid, shall be charged on the other real property fronting on the work or improvement, or liable under the said Act as amended as aforesaid, to be assessed in respect of such work or improvement, unless otherwise ordered by this Council.

2. From and after this By-law takes effect the said City Engineer shall also be, and he is hereby appointed to be, the officer or person, to estimate for this Council, and he is hereby authorized to estimate for this Council, the cost of the construction of branch drains from any drain or sewer, proposed to be constructed as a local improvement in any street in the City, to the line of the street, in ascertaining and determining the cost of draining any locality, or making and enlarging, or prolonging any common sewer in the City, and every such estimate so made by the said City Engineer shall be laid before this Council, and, if adopted, it shall be this Council's estimate of such cost, and in making the assessment of the cost of draining any locality, or making and enlarging or prolonging any common sewer, as aforesaid, the cost of such branch drains may be included.

3. From and after this By-law takes effect the said City Engineer shall be, and he is hereby appointed to be, the officer or person who in the case of an outlet sewer mentioned in sub-section 3, of section 620, of the said Act, as amended as aforesaid, and in the case of any of the works or improvements mentioned in sub-section 1, section 621 of the said Act, as amended, namely, constructing or repairing bridges or culverts,

or any street, lane or alley, or to open up or extend any street, lane or alley, within the limits of the City, for the more immediate convenience or benefit of any locality within such limits; when this Council is of opinion that, from any cause it is inequitable to charge the whole of the cost of the improvement on the lands fronting thereon, and in sub-section 2 of the said last mentioned section, namely, of the construction or repair of a bridge or culvert, or the opening up and extension of any street, lane or alley, when the Council shall determine that any real property, other than that fronting or abutting on the street, lane or alley, or the portion thereof, whereon or wherein the improvement is made, or to be made, is specially benefited, and ought to be charged with a part of the cost thereof, shall ascertain and determine what real property, other than the real property fronting or abutting on the work or improvement, is in the two first cases benefited, and in the third case specially benefited, thereby, and he shall make a statement of the various lots or properties in each of the said cases, giving a general description of each of the said lots and properties, with the names of the owners of the same as aforesaid, and the frontages of the said lots or properties, which he shall ascertain by measurement, and he shall also ascertain and determine the proportions of the cost of the work, or improvement, which should be, or is to be, assessed on the said lots or properties, respectively, and he shall also ascertain by measurement the frontages of the properties within the limits of the said lots or properties, exempt from taxation, and the proportion of the cost of any such work or improvement within said limits, to be provided out of the general funds of the Municipality, under the provisions of the said Act, as amended as aforesaid, and he shall submit every such statement to this Council, and if this Council order that the said lots or properties shall be assessed for their proportions of the cost of such work or improvement, the said Engineer shall add such lots or properties to the statement of the lots or properties fronting or abutting on the work or improvement, and dealt with as a part thereof, and they shall be assessed for their proportions of the cost of the work or improvement along with the last mentioned lots or properties, but subject always to the right of appeal aforesaid.

4. From and after this By-law takes effect the said City Engineer shall be, and he is hereby appointed to be, the officer or person who shall, in the case mentioned in sub-section 3, of section 620, of the said Act, as amended as aforesaid, of putting in necessary private drain connections in the circumstances in the said sub-section mentioned, ascertain and determine the particular properties benefited by the said work, and the cost of the same, and the proportion in which the said cost are to be assessed on the said properties, and he shall make a statement of the said properties, giving a general description of the said properties, and the owners names as aforesaid, and the frontages of the said properties, to be ascertained by him by measurement, and shall lay such statement before this Council, which shall order the said cost to be assessed on the particular properties benefited by the said work of putting in such necessary private drain connections, and said cost shall be assessed and levied upon the particular properties benefited by such private drain connections as part of the cost of the work or improvement being proceeded with.

5. From and after this By-law takes effect the said City Engineer shall be, and he is hereby appointed to be, the officer or person to ascertain and determine what land on either side of a street, lane or alley, in the City, are from any cause unfit for building purposes, if any, when it is proposed to construct a local work or improvement in any such street, lane or alley, and to report the same, with the frontages and owners' names as aforesaid, estimated cost of the work or improvement, the part thereof to be provided out of the general funds of the Municipality, the proportions thereof assessable on each lot or property, as if fit for building purposes, and his estimate of the reductions and increases which should be made, and he shall report the same to this Council and this Council shall thereupon determine in what proportion the cost of any such improvement shall be borne by the lands on each side of the said street, lane, or alley, respectively, and the said City Engineer shall afterwards proceed in the case as in ordinary cases, subject to such determination of this Council, and prepare his statement of assessment as aforesaid.

6. That from and after this By-law takes effect, the assessor, or one of the assessors, if there be more than one, of the City, shall be the officer or person, who shall ascertain and finally determine if a petition to this Council, for the construction of a local work or improvement under the local improvement sections of the said Municipal Act, has been sufficiently signed by the required number of owners, representing the requisite amount in value of the real property to be benefited by such work or improvement, and also the officer or person who shall ascertain and finally determine if a petition to this Council against any such local work or improvement has been sufficiently signed by the required number of owners, representing the requisite amount in value of the real property to be benefited by such work or improvement, and he shall in each case certify on the backs of such petitions his determination therein, the word "owner" to have the meaning assigned to it in the said Act as amended.

7. This By-law shall come in force and take effect on its passing, and shall apply only to local works and improvements the expense of which is proposed to be assessed upon the real property benefited there by a special annual frontage rate thereon according to the frontage of said property.

No. 501.

A By-Law Respecting the Payment and Collection of the Taxes and Local Improvement Assessments, including Sewer Rents and Rates of the Municipality of the City of Kingston, and to allow a Discount thereon for Prompt Payment, and to impose a Percentage Charge thereon upon Default of Payment at the Times Specified Therefor.

Passed Monday, February 11th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. That all taxes and local improvement assessments, including sewer rents and rates to be collected in the Municipality of the City of Kingston for any year from the year 1895 inclusive, and thereafter, shall, from and after the passing of this By-law, be payable into, and are hereby required to be paid into, the office of the Collector of Taxes of this Municipality in two equal instalments, as follows, that is to say, the first instalment to be so paid on or before the thirtieth day of June, and the second or last instalment to be so paid on or before the thirty-first day of October in the same year.

2. That on the payment of the said first instalment, on or before the thirtieth day of June in the said year, a discount of one per cent. shall be allowed upon the said instalment, and that on the payment of all taxes, assessments, rents and rates aforesaid, due and owing by the payer for the said year, on or before the said thirtieth day of June, a discount of two per cent. shall be allowed on the amount thereof.

3. That there shall be imposed on, added to, and collected with all taxes, local improvement assessments, including sewer rents and rates for any year, from the year 1895 inclusive and thereafter, which shall remain unpaid on the first day of November in such year, an additional percentage charge of two per cent on the amount thereof then in arrear ; and that there shall be imposed on, added to and collected with all such taxes and assessments,

rents and rates, for any year from the year 1895 inclusive and thereafter, which shall remain unpaid on the thirtieth day of November in such year, an additional percentage charge of three per cent, inclusive of the said percentage charge of two per cent on the amount thereof then in arrear; and that there shall be imposed on, added to and collected with all such taxes and assessments, rents and rates for any year from the year 1895, inclusive and thereafter, which shall remain unpaid on the thirty-first day of December in such year, an additional percentage charge of five per cent on the amount thereof then in arrear, inclusive of the said percentage charge of three per cent.

4. The said percentage charges shall be added, respectively, to the said taxes and assessments, rents and rates for any such year as aforesaid, in arrear on the said first day of November, the thirtieth day of November, and the thirty-first day of December in such year respectively, and shall be collected by the said Collector with the said arrears of taxes and assessments, rents and rates as aforesaid, and in the same manner. Provided always that no more, nor higher, nor greater percentage charge, in all, and altogether, than five per cent on the whole amount of the taxes and assessments, rents and rates payable by any person in any year, shall be imposed on, added to, or collected with, the said arrears of taxes and assessments, rents and rates, for such year.

5. Nothing herein contained shall apply to or affect the taxes and assessments, rents and rates, of this Municipality for the years prior to the year 1895, or the By-laws relating to the same or to the percentages thereon, all of which are hereby maintained and declared to be and to remain in force until the said taxes and assessments, rents, rates and percentages have been collected or otherwise disposed of.

6. This By-law shall come in force and take effect on the first day of January, 1895.

No. 302.

A By-Law Respecting the Construction of Branch Sewers.

Passed Monday, February 11th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. From and after the passing of this By-law, all branch drains hereafter constructed from houses and lots, in this city, for the purpose of draining the same into the common sewer in the street, shall be constructed by men approved of by the City Engineer, and the work of constructing said branch drains, and the material used in the construction of the same, shall be subject to the approval of the City Engineer before being used, and no such material shall be used without such approval, or which has been condemned by the City Engineer; and the City Engineer, the Inspector of Plumbing, or other person appointed by the City Engineer, shall have the right to examine all such branch drains, and to see that the proper and approved description of tile are used, and that suitable traps are put in, and that the joints are all properly made and a proper grade maintained. And no drain shall be filled in until the same is inspected and approved by the City Engineer, or Inspector of Plumbing, or some person deputed by the City Engineer to examine the same.

2. Before excavating in any street, the person intending to excavate, when taking out the bond required in that behalf, must deposit the sum of \$10.00 with the City Treasurer, as a guarantee that he will restore the street surface to as good a state of repair as before the excavation was made, and in the event of this being done the excavation may be proceeded with; and if a certificate is given by the City Engineer on its completion, to the effect that the surface is so restored to his satisfaction, the amount deposited will be returned, but if the surface is not so restored, and if the person making the excavation neglects to make the necessary repairs forthwith, after due notification, then the city will be at liberty to use the amount de-

posited, or as much of it as may be necessary to make the necessary repairs for the proper restoration of the surface.

3. That hereafter, when any branch drain is laid in any street, the person for whom the drain is made shall have a sketch plan made to scale, showing the position of said branch drain, together with any traps or fixtures on it, and shall file the same in the office of the City Engineer.

4. That in future no entrance into a tile sewer will be allowed except at a junction, and no person will be allowed to cut into any main tile for the purpose of entering a sewer except on permission of the City Engineer.

5. That in case any person is desirous of excavating under a granolithic, asphalt, or other permanent sidewalk, a deposit of \$15.00 in case of a granolithic, and \$10.00 in case of an asphalt walk, must be made, in addition to the \$10.00 for excavating in the street, and these deposits may be used by the city to replace said walks if they are disturbed by the said excavation, but if not so needed, or so much thereof as may not be needed, shall be returned to the persons making the same.

6. This By-law shall come in force and take effect on its passing.

No. 303.

A By-Law to Compel the Construction of Sinks in Dwelling Houses, and Other Houses and Buildings, in the City of Kingston.

Passed Monday, February 11th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston as follows :—

1. The owner of every dwelling house in the city, and of every other house and building in the city, the business carried on in which renders a sink necessary, and which dwelling house or other house or building is, at the time of the passing of this By-law, or hereafter, without an efficient sink, shall, within one month from and after the passing of this By-law, erect or place in a suitable and convenient place in the said dwelling house, house or building, or in the yard attached thereto, if approved of by the Medical Health Officer of the city, a properly constructed sink of sufficient capacity for the disposal and carrying away of suds, dish-water, slops, and other waste water, and shall connect the said sink in a proper and safe manner with the house drain, and cause the connection to be efficiently trapped, so as to prevent the escape of sewer gas into said dwelling house, house or building, to the satisfaction of the Medical Health Officer of the city and of the Sanitary Inspector.

2. In case there is no drain from the dwelling house, house or building aforesaid to the common sewer in the street, the owner of the property, in such a case, shall cause one to be constructed within one month from and after notice to construct the same shall be delivered to such owner or his lawful agent, under and in accordance with the provisions of the By-law of this Corporation, entitled "A By-law Respecting the Construction of Branch Drains," and if the said owner or occupant fails to do so he shall be deemed guilty of a breach of this By-law.

3. Notice of the passing of this By-law shall be published in the city newspapers once a week for two weeks.

4. This By-law shall come in force and take effect on its passing.

No. 504.

A By-Law Respecting Pawnbrokers and Pawnbrokering.

Passed Monday, February 11th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The City Treasurer of this city is hereby authorized to issue licenses to persons exercising or wishing to exercise the trade of a Pawnbroker in this city, to be renewed annually, and to be otherwise subject to the By-law respecting the Licenses general clauses.

2. The annual license fee to be paid for such license shall be \$40.00, and shall be paid to the said Treasurer before the issue of the license, and without such payment no such license shall be valid or be issued.

3. The license shall be subject to the provisions of the Act Revised Statutes of Ontario, 187, Chapter 155, and to the penalties provided for the non-observance of the same.

4. This By-law shall come into force and have effect on its passing.

No 505.

A By-law Respecting the Shooting, Firing and Setting off of Guns, Pistols and Other Fire-Arms in the City.

Passed Monday, April 8th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. It shall be unlawful for any person to shoot, fire or set off, any guns, pistols, revolvers, or other fire-arms, in the City, ex-

cept in the lawful defence of such person's life, or of his wife's, child's, or servant's life, or except in resisting burglars or other night marauders, or except in a properly constructed and equipped shooting gallery, or except by lawful command and authority, and no person shall do any act herein forbidden, or he shall be deemed to be guilty of a breach of this By-law and shall be dealt with accordingly.

2. This By-law shall come in force and take effect on its passing.

No. 306.

A By-law to Fix a Day in Each Year as the Civic Holiday.

Passed Monday, April 8th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. The second Monday in the month of August in each year hereafter is hereby constituted and appointed to be kept and observed as the civic holiday in and for this City.

2. This By-law shall come in force and take effect on its passing.

No. 507.

A By-Law to Appoint Certain Officers of the Fire Department, and also a Chimney Viewer and Fire Inspector for the City of Kingston.

Passed Monday, April 8th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Henry Youlden is hereby appointed to the office of Chief Engineer of the Fire Department of the City of Kingston, under and subject to the provisions of the By-law of the City of Kingston, respecting the Fire Department and the suppression of fires.

2. William Miller is hereby appointed to the office of Mechanical Engineer and Caretaker of the Fire Department of the City of Kingston, under and subject to the said By-law in the preceding section mentioned.

3. John Hall is hereby appointed Stoker and assistant Caretaker of the Fire Department of the City of Kingston, under and subject to the provisions of the said By-law in the first section of this By-law mentioned.

4. John Lemmon is hereby appointed caretaker of the horses of the Fire Department of the City of Kingston, under and subject to the provisions of the said By-law in the first section of this By-law mentioned.

5. The above named officers' salaries shall be the same as are now attached to the said offices respectively, until otherwise determined, and they shall retain office during the pleasure of the Council.

6. Joseph H. Taylor is hereby appointed to the office of Chimney Viewer and Fire Inspector in and for the City of King-

ston, under and subject to the provisions of the said By-law in section 1 of this By-law mentioned for the period of one year from the day this By-law takes effect, and for such longer time as this Council shall see fit to retain his services in the said offices, the said Taylor to enter into a contract with two sufficient sureties for the due performance by him of the duties of his said offices, and the conditions upon which his tender therefor was accepted.

7. The said Taylor shall be paid thirty-five dollars per annum for his services in the said offices, over and above the fees allowed him under the provisions of the said By-law in section 1 of this By-law mentioned.

8. This By-law shall come in force and take effect on its passing.

No. 508.

**A By-Law to Provide a Summary Remedy if By-Laws are
Not Obeyed.**

Passed Monday, April 8th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Whenever this Council has by By-law or otherwise directed any matter or thing to be done by any person or corporation, if such person or corporation has made default in doing the matter so directed to be done, such matter or thing shall be done at the expense of the person or corporation in default by this Council, and this Council may recover the said expense with costs by action or by distress, in like manner as municipal taxes are recovered. Provided always, that instead of proceeding under this

By-law the person in default may be proceeded against and dealt with as for a breach of the By-law directing such matter or thing to be done.

2. This By-law shall come in force and take effect on its passing.

No. 309.

A By-law to Regulate the Time After Which Children Shall not be Allowed to be in the Streets of the City if Under a Certain Age, or Apparent Age, Without Proper Guardianship, and to Provide for the Establishment of a "Curfew Bell."

Passed Monday, May 6th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. From and after the passing of this By-law it shall not be lawful for any child, under the age or apparent age of 15 years, to be in the streets of the City of Kingston after the hour of eight o'clock P.M., during the period from the first day of November to the first day of April following, or after the hour of nine o'clock P.M. during the period from the first day of April to the first day of November following, in each and every year hereafter during which this By-law continues in force, without proper guardianship, and all such children are hereby required to be in their respective homes at the first mentioned hour during the first mentioned period, and at the last mentioned hour during the period secondly above mentioned, and any child under the age or apparent age of 15 years found in the said streets after the hour of eight o'clock P.M. during the said first mentioned period or after the hour of nine o'clock P.M. during the period secondly above mentioned, without proper guardianship, shall be

liable to be warned by any constable or peace officer finding it, to go home, and if after such warning such child shall be found loitering on the said streets, such child shall be taken by such constable or peace officer to its home, and such child shall also be deemed to have been guilty of a breach of this By-law.

2. A bell in the City shall be designated by this Council, by a resolution to be passed by this Council, which bell shall be rung at or near the hour of eight o'clock P.M. each night during the said first mentioned period, and at or near the hour of nine o'clock P.M. each night during the secondly above mentioned period in each and every year hereafter during which this By-law continues in force, as a warning to all children in the said streets under the said age or apparent age of 15 years, without proper guardianship, to go home; and such bell shall be called the "Curfew Bell," and said resolution shall fix the annual sum to be paid for said service

3. No parent or guardian shall permit his child or the child of which he is the guardian habitually to break this By-law, after such parent or guardian has been warned in writing that such child has broken the same, and any such parent or guardian who so does may be summoned before the Police Magistrate, or other Magistrate of the City having jurisdiction, for so doing.

4. Any parent or guardian who permits his child or the child of which he is the guardian habitually to break this By-law, after such parent or guardian has been warned as aforesaid, shall, upon conviction, forfeit and pay for the first offence \$1, without costs, and for the second offence \$2, and for the third or any subsequent offence \$5; and in case of the non-payment of any such fine forthwith, or as ordered by the convicting justice, the same may be levied and enforced as directed by section 872 of "The Criminal Code, 1892," of the Dominion of Canada.

5. This By-law shall come in force and take effect on its passing.

No. 310.

A By-law to Amend By-law No. 447.

Passed Monday, May 6th, 1895.

Whereas it is expedient to amend By-law No. 447 by reducing the number of standing committees of this Council, authorized by that By-law,

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Section 42 of the said By-law No. 447 is hereby repealed, and the following section substituted therefor:

“42. The Standing Committees of the Council shall be as follows:

(1) On Finance and Accounts—Seven members. NOTE—This Committee shall do the work of the late Committees on Licenses and Schools.

(2) The Board of Works—Seven members. NOTE—The Board of Works shall do the work of the late Committee on Streets and Improvements, and of the late Committee on Wharves and Harbours.

(3) On Water Works—Seven members.

(4) The Court of Revision—Five members.

(5) On Fire, Water and Light—Seven members.

(6) On City Property and Markets—Seven members.

(7) On Parks—Seven members.

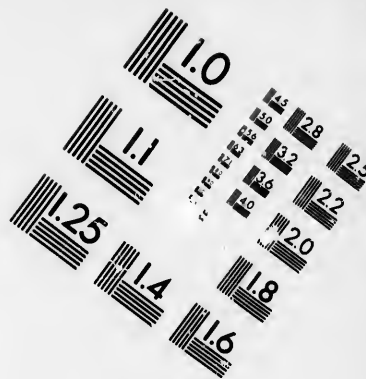
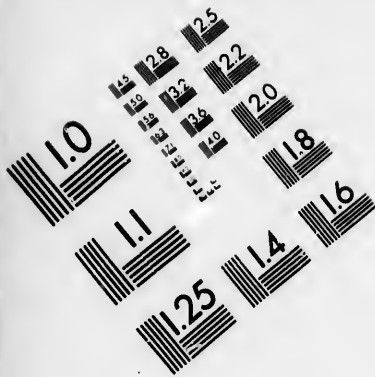
(8) On Printing—Five members.

(9) On House of Industry—Four members.

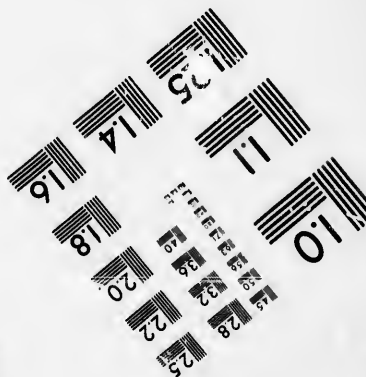
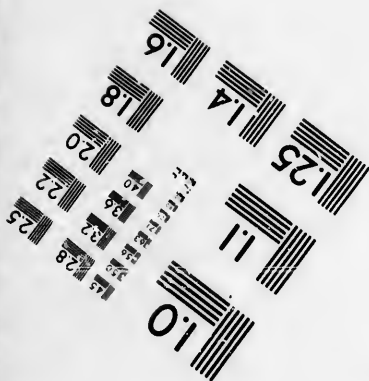
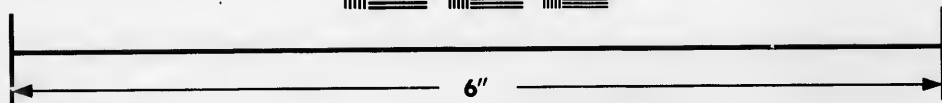
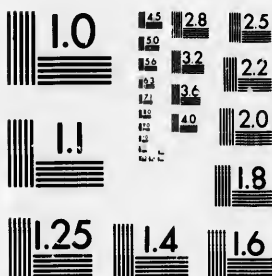
(10) The Board of Health—To consist of the Mayor and eight ratepayers, to be appointed by the Council—three of the members to be members of the Council.

2. The duties of the Reception Committee, now abolished, and the duties of the Committee on Railways and Improvements,





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now also abolished, shall be performed by a special committee of the Council, to be appointed by the Council for the purpose when necessary.

3. This By-law shall come in force and take effect on its passing.

No. 511.

A By-Law to Amend By-Law No. 489.

Passed Monday, May 6th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Section 4 of By-law No. 489 is hereby amended by striking out the name of "Anthony English" and substituting the name "George McCullough" in lieu thereof, who is appointed pound-keeper in place of said English, resigned.

2. This By-law shall come in force and take effect on its passing.

No. 512.

A By-law to Amend By-law No. 456.

Passed Monday, June 3rd, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. Section 1 of the said By-law is hereby amended by striking out the sum "\$100" in the twelfth line thereof and substituting for the same the sum "\$250."

2. The following section is added to the said By-law as section 1 a, that is to say:

"1 a" The words "transient trader" and "transient traders," wherever they occur in said section 1, shall extend to and include any person commencing the business in said section 1, mentioned in the municipality, who has not resided continuously in the municipality for a period of at least three months next preceding the time of the commencement of such business.

3. This By-law shall come in force and take effect on its passing.

No. 513.

**A By-law Respecting the Tax on Dogs, Established by the Act,
Chapter 214 of the Revised Statutes of Ontario (1887),
Entitled "An Act to Impose a Tax on Dogs and
for the Protection of Sheep."**

Passed Monday, June 3rd, 1895.

Whereas it is deemed advisable that the tax on dogs, established by the Act in the title to this By-law mentioned, should be maintained in the Municipality of the City of Kingston, but that the application of the proceeds thereof by the said Act provided should be dispensed with,

Be it enacted by the Council of the Corporation of the City of Kingston as follows :—

1. The said tax on dogs, established by the said Act, shall be maintained in the Municipality of the City of Kingston, but the application of the proceeds thereof by the said Act provided is hereby declared to be dispensed with in the said Municipality, and the said proceeds of the said tax shall, from and after the passing of this By-law, be the property of the said Municipality, and shall be subject to its disposition in like manner as other local taxes of the said Municipality, and shall not be applied as provided by the said Act.

2. This By-law shall come in force and take effect on its passing.

No. 514.

A By-law to Amend By-law No. 485, Respecting the House of Industry.

Passed Monday, June 17th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows :—

1. Section 2 of the said By-law is amended by striking out the word "first" in the first line of the section and substituting therefor the word "second."

2. This By-law shall come in force and take effect on its passing.

No. 515.

A By-law to Regulate the Public Parks in Certain Particulars.

Passed Monday, June 17th, 1895.

Whereas certain clubs and persons are and may be permitted by permission of the Council Committee on Parks to occupy or appropriate certain portions of the public parks as their playgrounds, the same remaining unfenced.

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows :—

1. It shall not be lawful for any other clubs or persons *to use or occupy* any of the said play grounds of the said first mentioned clubs or persons, or in any way injure or impair the said playgrounds or obstruct the said first mentioned clubs or persons in

the full use and enjoyment of the same, and any person so doing shall be deemed to be guilty of a breach of this By-law, and shall be dealt with accordingly.

2. Notice of this By-law shall be given by publishing a copy in the City newspapers once.

3. This By-law shall come in force and take effect on its passing.

No. 516.

A By-Law to Divide the City of Kingston into Polling Sub-Divisions.

Passed Monday, August 5th, 1895.

Be it enacted by the Council of the Corporation of the City of Kingston, as follows:—

1. The City of Kingston shall be divided into polling subdivisions for elections of the Legislative Assembly and Municipal elections, as bounded, described and limited in the schedule hereto, which is hereby declared to be part of this By-law.

2. This By-law shall come into force and take effect on its passing.

SCHEDULE.

POLLING SUB-DIVISION No. 1—Being composed of that portion of Sydenham Ward lying within the following limits: Commencing at water's edge, foot of Gore street, thence north-westerly along centre of Gore street to Bagot street, thence north-easterly along centre of Bagot street to Earl street, thence north-westerly along centre of Earl street to Barrie street, thence southerly along centre of Barrie street to water's edge, thence along water's edge to the place of beginning at the foot of Gore street.

POLLING SUB-DIVISION No. 2—Being composed of that portion of Sydenham Ward lying within the following limits: Commencing at water's edge, foot of William street, thence north-westerly along centre of William street to Barrie street, thence southerly along centre of Barrie street to Earl street, thence south-easterly along centre of Earl street to Bagot street, thence westerly along centre of Bagot street to Gore street, thence south-easterly along centre of Gore street to water's edge, to the place of beginning at the foot of William street.

POLLING SUB-DIVISION No. 3—Being composed of that portion of Ontario Ward lying within the following limits: Commencing at water's edge at the foot of William street, thence westerly along William to King street, thence northerly along King to Clarence street, thence westerly along Clarence to Bagot at a junction with Brock street, thence easterly along Brock street to water's edge, thence southerly along water's edge to the place of beginning.

POLLING SUB-DIVISION No. 4—Being composed of that portion of Ontario Ward lying within the following limits: Commencing at centre of William and King streets, thence westerly along William to Barrie street, thence northerly along Barrie to Johnson street, thence northerly to a point on Brock street 50 feet westerly from its junction with Barrie street, thence easterly along Brock street to centre of Bagot street, thence easterly along Clarence street to King street, thence southerly along King street to the place of beginning.

POLLING SUB-DIVISION No. 5—Being composed of that portion of St. Lawrence Ward, lying within the following limits : Commencing at the water's edge foot of Brock street, thence north-westerly along centre of Brock to Bagot street, thence north-easterly along centre of Bagot street to Princess street, thence south-easterly along centre of Princess street to the water's edge, thence along the water's edge to the place of beginning.

POLLING SUB-DIVISION No. 6—Being composed of that part of St. Lawrence Ward lying within the following limits : Commencing at the junction of the centre of Bagot and Brock streets, thence north-westerly along centre of Brock street to the westerly limit of St. Lawrence Ward, thence northerly along said limit to Princess street, thence south-easterly along centre of Princess street to Bagot Street, thence south-westerly along centre of Bagot street to the place of beginning on Brock street.

POLLING SUB-DIVISION No. 7—Being composed of that portion of Catharqui Ward lying within the following limits : Commencing at the water's edge, foot of Princess street, thence westerly along said street to Montreal street, thence northerly along Montreal to Queen street, thence easterly along Queen street to Ontario street, thence northerly along Ontario street to Barrack street, thence easterly along Barrack street to the water's edge, thence southerly along water's edge to the place of beginning.

POLLING SUB-DIVISION No. 8—Being composed of that portion of Catharqui Ward lying within the following limits : Commencing at the water's edge at the foot of Barrack street, thence westerly along said street to Ontario street, thence southerly along Ontario street to Queen street, thence westerly along Queen street to Montreal street, thence northerly along Montreal street to Ordnance street, thence easterly along Ordnance street to Wellington street, thence northerly along Wellington street to Bay street, thence easterly along Bay street to the water's edge, thence southerly and easterly along the water's edge to the place of beginning.

POLLING SUB-DIVISION No. 9—Being composed of that portion of Cataraqui Ward lying within the following limits: Commencing at the water's edge on Bay street, thence westerly along Bay street to Wellington street, thence southerly along Wellington street to Ordnance street, thence westerly along Ordnance street to Montreal street, thence northerly along Montreal street to Raglan Road, thence easterly along Raglan Road to Magdalene street, thence northerly along Magdalene street to Corrigan street, thence easterly along Corrigan street to Rideau street, and a line produced to the water's edge, thence southerly along the water's edge to the place of beginning.

POLLING SUB-DIVISION No. 10—Being composed of that portion of Cataraqui Ward lying within the following limits: Commencing at the water's edge, in line with Corrigan street produced, thence westerly along said line and Corrigan street to Magdalene street, thence southerly along Magdalene street to Raglan Road, thence westerly along Raglan Road to Montreal street, thence northerly along Montreal street to the northerly limits of the City, thence easterly along said limits to the water's edge, including Belle Island, thence southerly along the water's edge to the place of beginning.

POLLING SUB-DIVISION No. 11—Being composed of that portion of Frontenac Ward lying within the following limits: Commencing at the junction of Princess and Montreal streets, thence westerly along Princess street to Clergy street, thence northerly along Clergy street to Ordnance street, thence westerly along Ordnance street to Alma street, thence northerly along Alma street to Raglan Road, thence easterly along Raglan Road to Montreal street, thence southerly along Montreal street to the place of beginning.

POLLING SUB-DIVISION No. 12—Being composed of that portion of Frontenac Ward lying within the following limits: Commencing at junction of Princess and Clergy streets, thence northerly to Ordnance street, thence westerly along Ordnance street to Alma street, thence northerly along Alma street to Raglan Road, thence westerly along Raglan Road to westerly

limit of the ward, thence southerly along said limit to Princess street, thence easterly along Princess street to Clergy street, the place of beginning.

POLLING SUB-DIVISION No. 13—Being composed of that portion of Frontenac Ward lying within the following limits: Commencing at the junction of Montreal street and Raglan Road, thence westerly along Raglan Road to Division street, thence northerly along Division street to Adelaide street, thence easterly along Adelaide street to Patrick street, thence southerly along Patrick street to Markland street, thence easterly along Markland street to Montreal street, thence southerly along Montreal street to the place of beginning.

POLLING SUB-DIVISION No. 14—Being composed of that portion of Frontenac Ward lying within the following limits: Commencing at the junction of Montreal and Markland streets, thence westerly along Markland street to Patrick street, thence northerly along Patrick street to Adelaide street, thence westerly along Adelaide street to Division street, thence northerly along Division street to the northerly City limits, thence easterly along said limits to Montreal street, thence southerly along Montreal street to the place of beginning.

POLLING SUB-DIVISION No. 15—Being composed of that portion of Rideau Ward lying within the following limits: Commencing on Princess street at the Division line between Rideau and Frontenac Wards, thence northerly to where said division line meets Division street, thence northerly along Division street to road on the northerly limits of the City, thence westerly to Alfred street, thence southerly along Alfred street to Princess street, thence easterly along Princess street to the place of beginning.

POLLING SUB-DIVISION No. 16—Being composed of that portion of Rideau Ward lying within the following limits: Commencing on Barrie street at its junction with Johnson street, thence westerly along Johnson street to University Avenue, thence northerly along University Avenue to Princess street, thence easterly along Princess street to a point 132 feet west of Barrie street, thence southerly in a direct line along the

easterly limit of Rideau Ward to Barrie street, thence southerly along Barrie street to the place of beginning.

POLLING SUB-DIVISION No. 17—Being composed of that portion of Rideau Ward lying within the following limits: Commencing on Barrie street at its junction with Earl street, thence westerly along Earl street to University Avenue, thence northerly along University Avenue to Johnson street, thence easterly along Johnson street to Barrie street, thence southerly along Barrie street to the place of beginning.

POLLING SUB-DIVISION No. 18—Being composed of that portion of Rideau Ward lying within the following limits: Commencing at the junction of Earl street and University Avenue, thence northerly along University Avenue to Princess street, thence westerly along Princess street to Albert street, thence southerly along Albert street to the southerly limit of Rideau Ward, thence easterly in a direct line along said southerly limit to the place of beginning.

POLLING SUB-DIVISION No. 19—Being composed of that portion of Rideau Ward lying within the following limits: Commencing at the junction of Princess and Alfred streets, thence northerly along Alfred street to road on the northerly limits of the City, thence westerly along said road to the westerly limits of the City, thence southerly along said limits to the south side of Johnston street, thence easterly in a direct line along the southerly limit of Rideau Ward to Albert street, thence northerly along Albert street to Princess street, thence easterly along Princess street to the place of beginning.

POLLING SUB-DIVISION No. 20—Being composed of that portion of Victoria Ward lying within the following limits: Commencing at the junction of Barrie and Earl streets, thence southerly along Barrie street to Clergy street west, thence westerly along Clergy street west to University Avenue, thence southerly along University Avenue to Union street, thence westerly along Union street to the westerly City limits, thence northerly along said limits to Johnson street, thence easterly along the northerly limits of Victoria Ward to the place of beginning on Barrie street.

POLLING SUB-DIVISION No. 21—Being composed of that portion of Victoria Ward lying within the following limits: Commencing at the junction of Barrie street and Clergy street west, thence southerly along Barrie street to Deacon street, thence westerly along Deacon street to Arch street, thence southerly along Arch street to Stuart street, thence westerly along Stuart street to University Avenue, thence northerly along University Avenue to Clergy street west, thence easterly along Clergy street west to the place of beginning on Barrie street.

POLLING SUB-DIVISION No. 22—Being composed of that portion of Victoria Ward lying within the following limits: Commencing at the centre of the junction of Barrie street and Deacon street, thence southerly along Barrie street to the water's edge, thence westerly along water's edge to westerly City limits, thence northerly along said limits to Union street, thence easterly along Union street to University Avenue, thence southerly along University Avenue to Stuart street, thence easterly along Stuart street to Arch street, thence northerly along Arch street to Deacon street, thence easterly along Deacon street to the place of beginning on Barrie street.

No. 517.

**A By-law to Provide and Impose a Penalty for the Breach of
any of the Foregoing By-laws, and to Repeal Certain
By-laws, and for Other Purposes.**

Passed Monday, August 5th, 1895.

Be it enacted by the Council of the Corporation of the City of
Kingston as follows:—

1. Any person guilty of a breach of any of the newly revised, amended and consolidated, by-laws, preceding in this collection this by-law, and passed by this Council on various dates from the 3rd day of April, 1893, to the 5th day of August, 1895, both dates inclusive, and numbered from number 446 to number 516, both numbers inclusive, as amended, or of any of the said by-laws that have been amended, shall, upon conviction, forfeit and pay, unless when another and different penalty is prescribed, for such breach, a fine not exceeding \$50.00 nor less than \$1.00, for each offence, exclusive of costs, and in default of payment of the fine and costs inflicted for any such breach forthwith, or as ordered to be paid by the convicting Justice, the same may be levied by distress and sale of the goods and chattels of the offender, and in case there shall be no sufficient distress found out of which such fine and costs can be levied, the offender may be imprisoned in the common gaol of the County of Frontenac, with or without hard labor, for any period not exceeding six months, unless said fine and costs are sooner paid.

2. The original by-laws and the by-law entitled, "A By-law to Consolidate and Amend the By-laws of the Corporation of the City of Kingston, and to Repeal Certain By-laws," passed on the 26th day of November, 1883, from which by-laws the said by-laws mentioned in section 1 of this by-law have been derived, revised, amended and consolidated, and whose subject matters, respectively, are in whole or in part dealt with in and by the said revised, amended and consolidated by-laws, respectively, mentioned in section 1 of this by-law, are hereby repealed; provided that this section shall not apply to any by-law or by-laws amending any of the said revised, amended and

consolidated by-laws in section 1 of this by-law mentioned; and provided further that the repeal of the said original by-laws, including the said by-law entitled "A By-law to Consolidate and Amend the By-laws of The Corporation of the City of Kingston, and to Repeal Certain By-laws," hereinbefore mentioned, shall not have the effect of reviving any by-laws or parts of by-laws which have been repealed by the said now repealed by-laws; and provided further that every act, matter and thing lawfully done or effected up to the passing of the said by-laws in section 1 of this by-law mentioned, under or by virtue of the said repealed by-laws, and every liability, obligation or penalty accrued or incurred under the said repealed by-laws up to the passing of the said by-laws in section 1 of this by-law mentioned, is and shall be valid, binding and obligatory to all intents and purposes, and may be enforced and sustained in the same manner and to the same extent as if the said repealed by-laws were still unrepealed.

3. The by-laws passed by this Council on the 3rd day of April, 1893, and on the 15th day of December, 1893, and on the 15th day of October, 1894, and entitled "A By-law to Provide and Impose a Penalty for the Breach of Certain By-laws, and for other purposes," respectively, are hereby repealed, but every liability, obligation or penalty, accrued, incurred or imposed, under the said last mentioned by-laws, or any or either of them, is and shall be valid, binding and obligatory, to all intents and purposes, and may be enforced and sustained in the same manner, and to the same extent, as if the said by-laws were still in force and unrepealed.

4. The by-law numbered 516, passed on the 15th day of July, 1895, is hereby repealed.

5. This by-law shall come in force and take effect on its passing.

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APPENDIX.



Members of the City Council of

| YEAR. | MAYOR. | SYDENHAM WARD. | ONTARIO WARD. | ST. LAWRENCE WARD. |
|-------|-------------------|--|--|--|
| 1893 | N. C. Polson. | Aldermen. R. J. Bowes. John Herald, M.D. Robert Meek. | Aldermen. J. J. Behan. C. L. Curtis. Wm. Wilson | Aldermen. W. J. Arnlel. J. C. Hardy. J. S. Skinner. |
| 1894 | John Herald, M.D. | G. H. Allen. Robert Meek. A. McMahon. | J. J. Behan. C. L. Curtis. J. B. Walkem. | J. C. Hardy. John McKelvey. J. S. Skinner. |
| 1895 | Clark W. Wright. | Jas. Stewart. A. McMahon. Robt. Meek. | J. B. Walkem. J. J. Beban. C. L. Curtis. | John McKelvey. Jas. Galloway, Jr. J. S. Skinner. |

the City of Kingston since 1892.

| CATARAQUI WARD. | FRONTENAC WARD. | RIDEAU WARD. | VICTORIA WARD. | CLERK. |
|---|--|--|---|-------------|
| Aldermen. John Gaskin. Wm. Robinson. Edward Ryan, M.D. | Aldermen. Wm. H. Carson. C. W. Wright. D.E. Mundell, M.D. | Aldermen. R. F. Elliott. D. M. McIntyre. C. Robinson, | Aldermen. A. Horn. John McKelvey. John McLeod. | M. Flanagan |
| John Gaskin. Wm. Robinson. Edward Ryan, M.D. | G. Robinson. C. W. Wright. Wm. H. Carson. | R. F. Elliott. C. H. Martin. D. M. McIntyre. | A. Horn. W. Mundell. H.W. Richardson. | M. Flanagan |
| W. G. Stralnge. Edward Ryan, M.D. John Gaskin. | Alex. Newlands. W. M. Drennan. Jos. Tait. | R. F. Elliott. Chas. H. Martin. D. M. McIntyre. | W. Mundell. H.W. Richardson. L. W. Shannon. | M. Flanagan |

OFFICERS OF THE CITY COUNCIL, 1895.

CITY CLERK MICHAEL FLANAGAN
 Appointed Assistant Town Clerk, June 1st, 1843; Town Clerk, April 14th, 1845; and City Clerk,
 June 15th, 1846.

CITY TREASURER FRANCIS C. IRELAND
 Appointed Assistant City Treasurer, November, 1872, and City Treasurer, April 7th, 1879.

CITY SOLICITOR .. JAMES AGNEW
 Appointed, June 21st, 1858.

CITY ENGINEER T. O. BOLGER
 Appointed August 22nd, 1837.

ASSESSOR AND CITY COMMISSIONER WILLIAM S. GORDON
 Appointed June 27th, 1881.

COLLECTOR OF TAXES.... GEORGE THOMPSON
 Appointed January 9th, 1888.

HIGH BAILIFF EDWIN HORSEY
 Appointed February 18th, 1882.

CLERK OF THE MARKETS AND HARBOUR MASTER.... WILLIAM McCAMMON
 Appointed October 20th, 1890.

MESSENGER ANDREW LANIGAN
 Appointed May 6th, 1861.

AUDITORS } THOS. D. MINNES
 } JOHN T. McMAHON
 Appointed January 21st, 1895.

HEALTH DEPARTMENT.

MEDICAL HEALTH OFFICER..... DR. SAMUEL H. FEE
 SANITARY INSPECTOR WILLIAM S. GORDON
 Appointed March 23rd, 1885.

FIRE DEPARTMENT.

CHIEF ENGINEER HENRY YOULDEN
 MECHANICAL ENGINEER AND CARETAKER..... WILLIAM MILLER
 CARETAKER OF HORSES JOHN LEMMON
 STOKER JOHN HALL
 CHIMNEY VIEWER AND FIRE INSPECTOR JOSEPH H. TAYLOR

PARKS.

SUPERINTENDENT.... THOMAS PHILLIPS

POUND KEEPERS.

JOHN PATTERSON WESTERN POUND
 GEORGE McCULLAGH NORTHERN POUND

BOARD OF HEALTH FOR 1895.

DR. R. T. WALKEM, Q.C., CHAIRMAN; HIS WORSHIP THE MAYOR, CLARK W. WRIGHT, ESQ.; ALDERMEN ELLIOTT AND RYAN; THE REV. W. B. CAREY; PRINCIPAL GRANT; DR. K. N. FENWICK; DR. H. J. SAUNDERS; P. R. HENDERSON, ESQ.; W. S. GORDON, SECRETARY.

BOARD OF COMMISSIONERS OF POLICE.

JOHN DUFF, POLICE MAGISTRATE, CHAIRMAN; C. V. PRICE, COUNTY JUDGE; HIS WORSHIP THE MAYOR, CLARK W. WRIGHT, ESQ.; CLERK OF THE BOARD, EDWIN HORSEY.

POLICE COURT.

POLICE MAGISTRATE JOHN DUFF
CLERK OF THE POLICE COURT MICHAEL FLANAGAN

POLICE FORCE.

CHIEF CONSTABLE EDWIN HORSEY
SERGEANTS { ROBERT W. NESBIT
ALEXANDER SNODDEN

CONSTABLES.

PHILIP H. SMALL, JAMES MEGARRY, JOHN TUTTLE, ROBERT AIKEN, JAMES A. CRAIG, N. TIMMERMAN, SAMUEL McCULLAGH, JOHN BALLENTYNE, JAMES BATESON, HUGH LAWSON, DAVID DOWNIE, GEO. W. KENNEDY.

LICENSE COMMISSIONERS FOR 1895.

MESSRS. R. CRAWFORD (Chairman), THOMAS HANLEY, ALFRED R. MARTIN.
LICENSE INSPECTOR WILLIAM GLIDDEN

PUBLIC SCHOOL BOARD 1895.

SCHOOL TRUSTEES.

JAMES GALLOWAY (Chairman), MESSRS. SAMUEL ANGLIN, EDWARD BENNETT, G. Y. CHOWN, A. F. CHOWN, THOMAS DONNOLLY, J. G. ELLIOTT, SAMUEL H. FEE, M.D., W. KELLY, THOS. LAMBERT, R. MEEK, GEO. SEARS, A. SHAW, T. C. WILSON.

OFFICERS.

INSPECTOR W. G. KIDD
SECRETARY, TREASURER AND LIBRARIAN JOHN McDONALD

ROMAN CATHOLIC SEPARATE SCHOOL BOARD, 1895.

REV. J. KELLY (Chairman), MESSRS. W. DUFFY, A. HANLEY, J. J. BEHAN, E. COCHRANE, G. DARRAGH, J. NORRIS, W. J. McNEILL, D. EGAN, E. McFADDEN, P. J. HOWLAND, T. J. LEAHY, D. STALEY E. RYAN, M.D.

OFFICERS.

SECRETARY J. J. BEHAN
JOINT TREASURERS { E. RYAN, M.D.
T. J. LEAHY.

95.

LANAGAN
City Clerk,

IRELAND
7th, 1879.
S AGNEW

BOLGER

GORDON

THOMPSON

HORSEY

CAMMON

LANIGAN

MINNES

McMAHON

L. H. FEE
GORDON

YOULDEN
MILLER
LEMMON
JOHN HALL
TAYLOR

PHILLIPS

RN POUND
RN POUND

AN ACT

To Amend the Act to Incorporate the Kingston Street Railway Company.

Whereas the Kingston Street Railway Company has by its petition prayed that the powers thereof enacted by the Act to incorporate the said Company, passed in the 39th year of Her Majesty's reign and chaptered 74, may be extended as herein-after provided; and whereas the Municipalities of the Township of Kingston and the Village of Portsmouth in the County of Frontenac, being Municipalities adjoining the City of Kingston, have, by resolutions of the Councils thereof, requested that the said Street Railway Company should be allowed to use electricity as a motive power for its road; and whereas the Corporation of the City of Kingston and the said Company have entered into the agreement which forms Schedule "A" to this Act, and the said Corporation and the said Company have prayed that the said agreement should be ratified and confirmed; and whereas the said Company have also prayed that the name be changed as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said agreement between the Corporation of the City of Kingston and the said Kingston Street Railway Company, which forms Schedule "A" to this Act, is hereby validated and confirmed, and the said parties shall be taken to have had power and authority to make the same at the time of the date thereof.

2. Section 7 of the said Act incorporating the said Company is hereby amended by substituting for the words "a single track iron railway" the words "a single or double track iron or steel railway."

3. Section 8 of the said Act as to the fares to be charged is hereby made subject to the terms of the said agreement.

4. The said Company shall have power to acquire the necessary real estate for the erection of buildings and machinery for the production of electricity for the purposes of running its road and to manufacture electricity, or without prejudice to and subject to the agreement in said Schedule "A," to enter into any agreement with any other Company or individuals for the working of the said road by electricity or otherwise as may be agreed upon.

5. The said Kingston Street Railway Company shall hereafter be called and known as "The Kingston, Portsmouth and Catarqui Street Railway Company," but the change in the name thereof shall in no wise affect or prejudice the said agreement set out in said Schedule "A," which will be read as though the said Kingston Street Railway Company were therein styled "The Kingston, Portsmouth and Catarqui Street Railway Company"; or any other contracts, agreements or obligations of the said The Kingston Street Railway Company with the Corporation of the City of Kingston or other parties which may be enforced by or against the said Company under the new name thereof.

SCHEDULE "A."

Articles of agreement made in triplicate this ninth day of May, 1893, between the Corporation of the City of Kingston, hereinafter called "the Corporation," of the first part, and the Kingston Street Railway Company, hereinafter called "the Company," of the second part.

Whereas, by an Act of the Parliament of the Province of Ontario, passed in the 39th year of Her Majesty's reign, and chaptered 74, the said Company was incorporated for the purpose of operating a street railway in the City of Kingston and the adjoining Municipalities, with the powers and subject to the conditions in the said Act contained, under and subject to any agreement thereafter to be made between the Council of the said Corporation and the said Company, and under and subject to any By-laws of the said Corporation made in pursuance thereof;

And whereas, under the provisions of the said Act, an agree-

ment was entered into between the said Corporation and the said Company respecting the laying down and running of the said railway and the streets on which the same might be operated, which agreement is dated the seventh day of June, 1876, and was confirmed by a By-law of the said Corporation dated the sixteenth day of April, 1877;

And whereas a further agreement for the extension of the railway originally laid down was made between the parties which is dated the 24th day of April, 1889, and was confirmed by a By-law of the said Corporation dated the 30th day of April, 1889;

And whereas it has become expedient that a new agreement shall be made between the parties with the view of improving the railway constructed in pursuance of said agreement, and the parties have agreed upon the terms hereinafter contained as the proper terms to be inserted in the said new agreement.

It is therefore witnessed:—

1. That the said Company is hereby authorized and empowered by the said Corporation to construct, maintain, complete and operate a single track iron or steel railway with the necessary side-tracks and turn-outs, as hereinafter provided, in and along the following streets, namely: The starting point of the said street railway shall be on Princess street at Alfred street, thence along Princess street to King street, thence along King street to Barrie street, thence up Barrie street to Union street, thence along Union street to the western city limits. Also connecting with the King street line, from King street along Brock street to Ontario street, thence along Ontario street to William street, thence along William street to King street, connecting with the line on that street. Also connecting with the line on Union street, from Union street along Livingston avenue to King street, thence westward along King street to the western city limits. Also connecting with the Union street line, from Union street along Alfred street to York street, also from Alfred street along Princess street westward to City limits.

2. The said railway shall be worked by electricity, ammonia or compressed air, or by such other motive power as may here-

after be agreed upon by the parties and sanctioned by the Corporation by By-law.

3. The said Company shall have the right to erect on the streets of the City of Kingston the necessary poles, wires and apparatus for the working of the said railway, subject to the conditions hereinafter contained.

4. The guage of the said railway shall be four feet eight and one-half inches.

5. The rails of the said railway shall be laid so as to cause the least inconvenience possible to general traffic consistently with the proper working of the railway. They shall be laid flush with the streets to the grade given by the Engineer of the City of Kingston, hereinafter called the "City Engineer," and shall conform to the grade of the streets except as hereafter provided.

6. The tracks shall be laid down in the middle of the street or as may be otherwise agreed on between the parties; and during the construction of the said railway due and proper care shall be taken to leave sufficient space and crossings so that the traffic and travel on the streets shall be left free and unobstructed, and lights, barriers and watchmen shall be provided and kept by the Company when and where required to prevent accidents to the public.

7. All excavations necessary in raising and removing the present old tracks and putting down the new track shall be made by the Company, and all the work of tamping and packing the ties and laying and lining the track shall be done by the Company.

8. If the grade given by the City Engineer conforms to the existing street surface, or is above the same to an extent not greater than two inches, the Company shall, at its own expense, make up the street surface to the required height, and put the same in as good a condition as it was in before the excavation was commenced. The Company shall, in restoring the streets, use similar material to that of which the road-bed is composed to the satisfaction of the City Engineer, removing all rough stone and dirt, and shall roll the surface firm and compact to the satis-

faction of the said City Engineer. Should the Corporation desire to change the grade of any street before the track is laid down, the excavation or filling therefor, except as hereinbefore provided, shall be done by the Corporation.

9. Should the Corporation at any time after the track is laid down desire to change the grade of any street on which the track has been laid, it shall have the right to do so, and the Company shall raise or lower its track when required to do so to the satisfaction of the Corporation; but such raising or lowering shall be done at the expense of the Corporation, except that the Company shall supply any new ties, stringers or rails necessitated by the change, at its own expense.

10. Not more than 1,500 feet of the track shall be in hands in the laying down and making and completing at one time, and not more than 15 days shall be occupied in completing this length, laying the track and remaking the street in accordance with this agreement, and before commencing to lay their track in any street where by this agreement it is their duty to make up and restore the street surface the Company shall deposit with the City Treasurer the sum of \$300 as a guarantee that they will so make up and restore the street, said sum to be returned to the Company on the certificate of the City Engineer that said street is satisfactory to him, otherwise said deposit, or as much of it as may be required, shall be applied by the Corporation for the purpose of making said street surface into a proper condition, and if any of said deposit is so applied or becomes so applicable the said Company, before it takes in hand the laying down and making and completing any further part of the track, shall deposit with the said City Treasurer a sum sufficient to make up the said deposit to a sum of \$300 over and above the moneys so applied or applicable to be similarly disposed of, and so in the case of each further part of the track taken in hand by the said Company for said purposes. And upon the completion of the road as certified by the City Engineer the unused balance of said deposits to be returned to the Company with the interest at the rate of 4 per cent. per annum.

11. The rails, points, switches and appliances to be used by the Company in the construction of the track, and the radius of

all curves and the position of switches, side-tracks and turnouts shall be subject to the approval of the City Engineer. No more switches, side-tracks or turnouts than are necessary shall be laid, and not more than one of either kind in 1,000 feet without the leave of the City Engineer, and any rails, curves, switches, side-tracks or turnouts or other portions of the track not satisfactory to the City Engineer must be forthwith removed by the Company. The side-track now laid down on Ontario street is hereby allowed.

12. The poles for supporting the wires used by the Company shall be satisfactory to the City Engineer; and the same shall be located and placed subject to his approval.

13. All the plant used by the Company for the operation of the road, including cars, wires and motors, shall be first-class of its kind and modern at the time of its completion.

14. The Corporation shall have the right to take up the streets traversed by the railway, either for the purpose of altering the grades thereof, constructing or repairing drains; laying down or repairing water or gas pipes, and all other purposes within the province and powers of the Corporation without being liable for any compensation or for any damage that may be occasioned to the working of the railway or to the works connected therewith by the interruption of the traffic of the railway or the taking up of the works: but the Corporation shall use all reasonable dispatch in replacing the track and works disturbed.

15. The following clauses relating to repairs, distinguished by the letters (a), (b), (c), (d), shall come into force and effect between the parties after the expiration of fifteen years from the first day of July, 1894, but not before that time, and from the time that the said new road is completed until the expiration of the said fifteen years the repairs therein provided for shall be done by the Corporation.

(a) The Company shall keep in thorough repair all street surface and all crossings inside the rails and eighteen inches outside the rails, and where there is a switch or side-track the space between the two sets of tracks shall also be kept in repair by the Company.

(b) When street crossings are higher than the general street grade, the Company shall not interfere with the height of said crossings, but shall maintain them at the height required by the City Engineer.

(c) When the portion of the street or streets to be kept in repair by the Company is, in the opinion of the City Engineer, out of repair, he shall notify the Company to that effect, stating the place where said repairs are necessary and the estimated cost of making the same, and the Company must proceed to make said repairs within three days of the serving of the notice and must have the same completed within fourteen days thereafter, and if the said repairs are not made in a manner satisfactory to the City Engineer, and the Company neglects to make them so satisfactory forthwith, the City Engineer, the Mayor and the Chairman of Streets shall together examine the portion of the street complained of, and the majority of them shall decide what is necessary to be done, and their decision, which shall be given in writing, shall be final. If the said repairs so decided upon are not proceeded with by the Company within three days of the serving upon it of notice of such decision, the Corporation may then proceed and make said repairs and charge and recover from the Company the amount of the cost thereof.

(d) If the Company neglects to make the required repairs for six months after notice of said decision has been served upon it, or to pay the expense thereof within the said time if previously made by the Corporation under ss (c) the Corporation may take the steps for forfeiting the rights and privileges of the Company under this agreement and cancelling the same provided by section 20 of this agreement in the manner and subject to the limitations mentioned in said section.

16. The following provisions regulating the running of the said street railway shall be observed by the said Company, and the same shall refer to the running of sleighs as well as cars, as far as the same may be applicable :

(a) The tracks, side-tracks, turnouts, rails, poles, wires, cars, and plant of the Company shall be kept constantly in good re-

pair and in an efficient and safe state, and the cars shall be properly heated and lighted and kept clean and comfortable.

(b) The Company shall, during the winter months, have the right to substitute sleighs for cars, and to run the same on the winter roads of the City along the line of the railway track.

(c) Until it is otherwise agreed between the parties, the cars shall commence running at half-past six o'clock a.m. of each day, and shall continue running until 10.30 p.m. over the whole track. They shall be run so that not more than fifteen minutes shall intervene between the passage of one car in either direction at any point on the line and the arrival of another at the same point, and so on continuously throughout the day, except as to the section on Princess street from Alfred street westward to the City limits, on which the time shall be thirty minutes.

(d) The Company may collect from every person on entering any of its cars, for riding any distance on their railway in the same continuous route, between 6.30 a.m. and 10.30 p.m. a sum not exceeding five cents, and between the hours of 10.30 p.m. and 6.30 a.m., a sum not exceeding ten cents, (except children under five years of age accompanied by a parent or other person having them in charge, which children shall ride free provided they do not occupy seats.) The Company shall grant transfers without additional charge for all continuous trips which are not returns, and shall issue workmen's tickets at eight for 25 cents, good during the following hours, namely, 6.30 to 8 a.m., and 6 to 6.30 p.m., and shall also carry children between five and twelve years of age for a cash fare of three cents, or give ten children's tickets for 25 cents, and also carry free of charge all police constables in uniform, and all city detectives wearing badges, and no conductor shall collect a higher fare than is allowed by this agreement. The Company may also charge a reasonable compensation, to be approved of by the City Council by By-law, for carrying packages and bundles as common carriers; but no extra charge shall be made for any valise, satchel, market-basket or parcel of reasonable size carried by any passenger.

(e) Cars running in the same direction or in opposite direc-

tions on the same track shall not approach each other within a distance of one hundred feet, except in case of accident or when it may be necessary to connect them together, and except at stations and turnouts. The rate of speed of all cars shall be subject to the direction of the City Council from time to time.

(f) The ordinary rate of speed at which the cars shall run shall not exceed fifteen miles an hour, but while the cars are turning the corners from one street to another they shall be run at the rate of not more than four miles an hour.

(g) No car shall be allowed to stop on a street crossing, or across any intersecting street except to avoid collision or to prevent danger to persons in the streets or for other sufficient cause; and no car after starting shall stop except at the intersections of streets and at crossings, for the purpose of receiving and discharging passengers, and then no longer than is necessary for such purposes.

When any car is stopped at the intersection of streets to receive or discharge passengers it shall be so located as to leave the rear platform slightly over the street crossing. If any car runs off the track, or is upset, it shall be immediately righted and replaced on the track.

(h) There shall be not less than two persons in charge of each car.

(i) It shall be the duty of the company to employ careful, sober and prudent conductors and motor men to take charge of their cars while on the road; and it shall be the duty of such motor men, as far as practicable, to keep a vigilant watch for all teams, carriages, and persons on foot, and especially children, either upon the track or moving towards it; and on the first appearance of danger the cars shall be stopped in the shortest time and space possible.

(j) The conductors shall use due diligence to prevent any passengers from entering or leaving the car while in motion.

(k) The cars, after sunset, shall be provided with coloured signal lights of a different colour for each route, and a bright head-

light on every car ; and each car shall have a gong attached to it, which shall be kept ringing at all times when approaching a crossing, or when necessary to give warning.

(l) It shall be lawful at all times for all and every person or persons with horses, carriages, or any kind or description of vehicle, whether loaded or not, to travel upon and along the track of the said railway, provided that in so doing they shall not interfere with or impede the cars running thereon, which in all instances shall be entitled to the first right of way on the said track.

(m) The Corporation shall by by-law, as far as it has or may receive power, protect the company in the use and enjoyment of its track and road, and in the collection of the fares payable by the passengers, and for carrying packages and bundles as is provided in the by-law hereinbefore referred to and passed by the said corporation on the 16th day of April, 1877. Provided that all prosecutions shall be instituted by and carried on solely at the expense of the company, and no cost or expense shall be incurred by the corporation by reason of anything in this sub-section contained.

(n) The said company shall keep tickets for sale at some place in the business portion of the city, convenient for the people, and also upon their cars, and they shall sell tickets to persons desiring the same at a rate not exceeding twenty-five cents for six tickets for fare between 6:30 a.m. and 10:30 p.m., to any point on the line within the city.

(o) The company shall also have painted in large, plain letters on a conspicuous place on the outside of each car, the number thereof, and shall place thereon the name of the route over which the car is to be run, so that such name and number may be readily seen and read by day or night, and each person employed in running a car shall, when so employed, have his number conspicuously shown on the breast of his coat or on his hat.

(p) The Corporation shall have the right to make such further rules, regulations, orders and by-laws in relation to the operation of the said railway as from time to time may be necessary to pro-

tect the interests of the said city, or to provide for the safety, welfare or accommodation of the public, but no alterations in these provisions shall be made which shall have the effect of substantially impairing the rights of the said company.

(g) All snow and ice on the streets, which the company uses for the running of its cars shall during such use be kept at such a level to a distance of 15 feet on each side of the track and between the rails of the track on the following streets; and where there are switches and turn-outs between the same on Ontario from William to Brock street, on Brock street from Ontario to King street, on King street from Brock to Princess street, on Princess from King to Alfred street, and twelve feet on each side of the track, and between the rails of the track on the other streets, and where there are switches and turn-outs between the same, that general traffic will not be interfered with within the space so agreed to be kept level; and if the company neglects to keep the said streets clear of snow and ice and fit for general traffic in manner aforesaid after due notice requesting it to do so has been served upon it, the corporation may remove the said snow and ice and charge the expense thereof to the said company.

The use of salt for the purpose of removing snow or ice from the track is strictly prohibited.

17. The said company shall be liable for all damages arising out of the construction, maintenance and operation of the railway and shall hold and keep harmless and indemnified the said Corporation from all actions, suits, costs, claims, damages and demands which may arise, or be brought, or recovered against the said Corporation in consequence of the concessions and privileges hereby granted or in consequence of the construction, maintenance or operation of the said railway, including damages arising from the non-removal of snow and ice by the company, when it is their duty to remove the same, or the non-compliance with the conditions of this agreement with respect to the same.

18. The said agreement, of the 7th day of June, 1876, and the 24th day of April, 1889, and the agreement between the parties dated on the 13th of May, 1889, as to repairs shall continue in force and shall apply to the now existing railway of the said

Company until the new road to be constructed shall have been finally certified by the City Engineer to have been completed to his satisfaction, whereupon the said agreements shall be abrogated except as to any claims accrued to either of the parties thereunder and the by-laws sanctioning the same shall be repealed.

19. The said Company shall complete the said new road and have the same fully equipped and in running order, and shall commence running cars thereon by the first day of January, 1895, except the section on Princess street from Alfred street westward to the city limits which shall be completed by the first day of January, 1896, and the Company shall have the right on the completion of any 1,500 feet section of the road to the satisfaction of the City Engineer to be certified by him to run its cars over and operate the said section.

20. Should the Company fail to complete the said railway and to commence running cars thereon as authorized by this agreement within the time limited thereby, or should the said Company neglect to run said cars on said railway, or on any part thereof after the completion thereof, as provided by this agreement or any future agreement between the parties for the space of six successive months, or should the said Company make default for the space of six months in payment of any of the moneys which may from time to time become payable by the Company to the Corporation or which may have been recovered by the Corporation against it in any suit or action by the Corporation or which it may have been ordered to pay by any court to the Corporation under, and by virtue of the provisions of this agreement, then the said Corporation may on giving notice of its intention once a week for two months in the official *Gazette* for the Province of Ontario and in a local newspaper published in the city of Kingston (unless in the meantime the default made by the company has been made good or the cause of complaint removed), by resolution of the Council thereof, declare that the said Company has forfeited all privileges and rights which it may have acquired by this agreement, and may repeal the by-law connected therewith and the said privileges and rights shall be forfeited accordingly and this agreement rescinded, and in such case and in all cases

in, which a forfeiture has been declared by the council under the provisions of this agreement, the Corporation reserves the right to cause all obstructions and materials placed in said streets by said Company, under this agreement or any former agreement, to be removed therefrom, and the said streets to be put in as good condition and repair as they were before said materials and obstructions were placed thereon, and the expense thereof shall be paid to the said Corporation by said Company, and the said Corporation also in such case reserves the right to run the said railway, or to grant the same rights and privileges to any person or persons, company or companies, free from all charges or liabilities for damages on account thereof.

21. Where necessary in cases of fire, the chief engineer or person in charge of the fire brigade shall have the right to cut or pull down any wires of the Company which obstruct the operations of the firemen or to direct that they shall be so cut or pulled down, and also to require the Company to stop the running of their cars to or near the building or buildings which may be on fire, and the Corporation shall not be liable for any loss or damage thus caused.

22. In the event of the Corporation desiring the laying down of a railway on any other streets or parts of streets in the City than those on which by this agreement the railway is allowed to be laid down, the Corporation may serve a written notice on the said Company stating the streets on which it is required that the said new railway should be laid down, and the terms and conditions on which the Corporation desires that it shall be constructed and operated, which terms and conditions may vary or differ from the terms and conditions contained in this agreement, except as to the gauge and motive power used on the road which must be similar to that then used by the Company, and if the company within six months from the date of such notice is willing to enter into a contract for the construction and operation of such new railway on the terms required and agrees to carry out the same within a further period of six months thereafter, then the privilege of constructing and operating such new railway shall be granted to the Company, otherwise the Corporation may itself construct and operate such new railway, or may grant the

construction and operation thereof to some other company or person on similar terms to those offered to the said Company but not otherwise.

23. The agreement herein contained shall remain in force for a period of forty years from the first day of July, 1894, after which time the right of the said Company to use the said streets shall cease and determine, and the Corporation shall at the end of the said time, unless the same is extended as hereinafter provided, take over the plant and property of the said Company at a valuation to be determined by arbitration in manner similar to that provided by sub-sections 2, 3 and 4, of section 4, of the Act passed in the 55th year of Her Majesty's reign, chapter 99, being an Act respecting the Toronto Street Railway, which provisions shall be incorporated into and form part of this agreement.

24. Should the said Corporation not desire to take over the said plant and property, it shall give notice one year before the termination of the said period of forty years that it does not so desire, whereupon the said Company shall be entitled to a further extension of the right to use and operate the said railway for a period of 20 years, upon terms to be settled by agreement between the parties, or if they cannot agree by arbitration between the parties each of whom shall choose one arbitrator and the two so chosen shall choose a third, but any agreement for renewal shall provide for a further renewal or extension for a similar time, unless the said plant and property is taken over by the said Corporation at the end of the said period of twenty years in manner provided by sections 23 and 24 of this agreement, and so on until the Corporation shall exercise its right to take over the said plant and property, and the Corporation shall have the right at the expiration of each successive extension of said term either to take over the said plant and property as herein provided or to extend the right to use and operate the said railway for a further period.

25. If the Corporation shall by a two-thirds vote of the Council request the Company to adopt any other method than the system first adopted by the Company at its own expense within one year after the passage of any such resolution of the Council, and the poles and wires and overhead construction used

by it so far as they may not be required for the new system shall be removed by the Company within that time, provided that the Company shall not be obliged to make any change in the system first adopted by them before the expiration of fifteen years from the completion of the said new road. Should the Company be requested by the Corporation to make such change it shall have the right to object to the required change as being unreasonable, or as entailing unreasonable expense upon it, and such right shall be exercised by giving within two months after the request having being served upon it two months' notice in writing of its intention to appeal to a board of arbitrators. Such board of arbitrators shall consist of three persons, one of whom shall be named in the notice of appeal given by the Company and one shall be named by the Corporation within two months after receiving such notice, and the third shall be appointed by the two so named, or in case of their failure to appoint such third arbitrator within one month after the appointment of the Corporation's arbitrator, he may, upon application by either party, after one week's notice to the other, be appointed by a judge of the high court, and if such arbitrators, or the majority of them, declare by their award in writing signed by them that the request of the Corporation is unreasonable, the Company shall not then be obliged to make the change except upon such terms as to contribution by the Corporation to the cost thereof, as the said arbitrators, or a majority of them, may by such award decide to be fair and just.

25a. In all arbitrations under this agreement, a majority of the arbitrators shall be competent, and are hereby authorized to make an award, and an award so made shall be valid and binding as if assented to by all the arbitrators.

26. Each of the parties shall in any arbitration under this agreement bear its own costs and one-half the costs of the arbitrators and award.

Witness the seals of the said Corporation and Company, and the signature of the presiding officers thereof, the day and year first above written.

Signed, sealed and delivered in the presence of
(Signed), RICHARD T. WALKER.

Clause 25a having been first written in.

[SEAL.] (Signed), BENJAMIN W. FOLGER, Pres.

(Signed), NEIL C. POLSON, Mayor.

(Signed), F. R. SARGENT, [SEAL]

Sec'y-Treas.

(Signed), M. FLANAGAN,

City Clerk, Witness to Mayor's signature.

**A By-law to Ratify and Confirm a Certain Agreement Therein
Mentioned.**

Passed Monday, February 12th, 1895.

Whereas the Corporation of the City of Kingston and the Kingston, Portsmouth and Cataraqui Street Railway Company have entered into a new agreement, dated the 7th day of May, 1894, respecting the removal of the snow and ice from the streets of the said City used by the said Company for the running of their cars, and whereas a true copy of the said agreement is hereunto annexed and marked A.

Be it therefore enacted by the Council of the said Corporation of the City of Kingston as follows:—

1. The said agreement between the said Corporation and the said Street Railway Company, herein above mentioned, a true copy of which is hereto annexed and marked A and forms schedule A to this By-law, is hereby ratified and confirmed by this Council.

2. This By-law shall come in force and take effect on its passing.

CLARK W. WRIGHT,

Mayor (L.S.)

M. FLANAGAN,

City Clerk.

SCHEDULE A.
AGREEMENT

Between the City and Street Railway Company respecting certain actions, and respecting the removal of snow and ice from the streets used by the Company for the running of their cars, the Company paying half the cost.

This agreement, made this seventh day of May, 1894, in duplicate, between the Corporation of the City of Kingston (hereinafter called the Corporation), of the first part, and the Kingston, Portsmouth and Cataraqui Street Railway Company (hereinafter called the Company), of the second part.

Whereas, on the tenth day of March, 1894, an action was instituted by the Corporation against the Company to recover two years' repairs under the agreement between the parties hereto, dated the thirteenth day of May, 1889, and also for the cost of removing the snow and ice from certain of the streets of the city, used by the Company for the running of their cars, in the months of January and February, 1894, under the agreement between the parties dated the ninth day of May, 1893, the claim of the Corporation in the said action being for \$526.69, besides interest and costs.

And whereas, on the trial of the said action at the Assizes held here in the month of April, 1894, judgment was entered by the Judge for the defendants, against which judgment the Corporation directed an appeal to be taken.

And whereas, on the fourteenth day of March, 1894, an action was instituted by the Company against the Corporation to recover \$1,500.00 for damages for the alleged breach by the Corporation of the said agreement of the thirteenth day of May, 1889, and for money paid and work done and labor and men supplied by the Company for and to the Corporation, as alleged, besides costs.

And whereas the Corporation and the Company have mutually agreed to compose the differences existing between them, as de-

clared and represented by the said actions, and also to enter into a new agreement as to the removal of the snow and ice, to prevent the general traffic from being interfered with thereby, from the streets used by the Company for the running of their cars, with a view of avoiding in the future any dispute as to the removal of snow and ice from the said streets for the said purpose, and as to the liability of the Corporation and Company respectively in connection with such removal. Now this Indenture witnesseth as follows :

1. The Corporation hereby agree not to prosecute an appeal against the adverse judgment in their said action against the Company, and to pay to the Company their costs of the said action upon taxation.

2. The Company hereby agree to pay to the Corporation on the execution of this agreement the sum of one hundred and twenty-five dollars, lawful money of Canada, towards the cost of the removal of the snow and ice by the Corporation from certain streets of the city used by the Company for the running of their cars in the months of January and February, 1894.

3. The Company also hereby agree to abandon their said action against the Corporation and their claim of fifteen hundred dollars therein claimed, and release and discharge the Corporation therefrom, and the Company also hereby agree that the said action shall be forthwith dismissed without costs.

4. It is further agreed by and between the parties to this agreement that the Corporation and the Company shall each bear and pay one-half of the actual cost of the removal of the snow and ice from the streets of the city used by the Company for the running of their cars, between curb and curb of the said streets, except as provided in sub-section (h) of clause 4 of this agreement, but including the fallings from the roofs of the buildings and the shovellings from the sidewalks, as hereinafter provided, and the snow and ice removed from their track by the Company, and the following conditions and provisions shall apply to the said removal of snow and ice from the said streets, namely :

(a) That the City Engineer shall be the sole arbiter and judge to decide as to when it is necessary to remove the snow and ice from the said streets used by the Company for the running of their cars in the city, in order to prevent the general traffic thereon from being interfered with, and take such steps as he may deem necessary in regard to said snow and ice to render said streets safe and free from danger to general traffic, and as to how much shall be removed on each occasion, and his decision on these matters shall be final and binding on both the Company and the Corporation.

(b) That the snow and ice to be removed from the said streets used by the Company for the running of their cars shall include that falling from the buildings, and shovelled from the sidewalks, and removed by the Company from their track, in all the streets of the city used by the Company for the running of their cars.

(c) That the Company will pay half of the cost of removing the snow and ice from the said streets within thirty days of the presentation of the account therefor, and the City Engineer's certificate of the cost of such removal shall be final and binding on the Company and Corporation.

(d) That the Corporation shall not incur any responsibility to the Company for the removal of snow and ice, or any liability to the Company by the non-removal thereof.

(e) That whenever the City Engineer considers it to be necessary that the snow and ice should be removed from the said streets used by the Company for the running of their cars, to prevent the general traffic from being interfered with, and to render said streets safe and free from danger, he shall forthwith employ men and means and have the said snow and ice removed by sleigh or cart accordingly.

(f) This agreement as to the removal of the snow and ice from the said streets is to govern in all cases of such removal; and notwithstanding anything contained in the said agreement of the ninth day of May, 1893, or in the Act of the Legislature of Ontario, 56 Vic., chapter 91, confirming the same, this agree-

ment shall be fully binding on the parties to the same as to the matters dealt with herein.

(g) That the City Engineer mentioned in this agreement is and shall be the City Engineer of the City of Kingston for the time being.

(h) That, notwithstanding anything in this agreement contained, the Company shall at all times, while using the same, at their own expense, keep their track clear of snow and ice, and plough and sweep the same.

(i) That the phrase between "curb and curb of the said streets," above used in section 4 of this agreement, shall mean all that part of the said streets of the said City used by the said Company for the running of their cars lying between the sidewalks or boulevards, or sidewalk and boulevard, on each side of said streets, as the case may be; and in streets in which there are no sidewalks or boulevards on each side, then the said phrase shall mean that part of the street used for vehicles and between the water tables on each side, or between the places where such tables usually are, except as aforesaid.

(j) That if the Company make default in the payment to the Corporation of the Company's half of the cost of the said removal of the snow and ice from the said streets of the city, used by the Company for the running of their cars, as certified by the said City Engineer, within thirty days of the presentation to them of the account of said half of said cost, and of the said City Engineer's certificate certifying to the correctness of the same, an action may be forthwith brought by the Corporation against the Company, in any court of competent jurisdiction, to recover the same, to which action it shall not be competent for the Company to plead any defence except payment, if payment had been actually made before said action was brought, and which plea of payment must be verified on oath by the President, Manager, or Secretary of the Company, which oath, however, shall not be conclusive of the matter.

(k) That in the construction of this agreement the words "removal of snow and ice" shall be interpreted to include spread-

ing of snow or ice or such other dealing with the snow or ice on said streets as shall, in the judgment and discretion of the said City Engineer, be sufficient and proper to effect the purpose of this agreement as to said snow and ice, and the Company shall be bound under this agreement to contribute and pay to the Corporation one-half of the actual cost of such spreading of the said snow and ice or of the other such dealing with said snow and ice in the same way as if said snow and ice had been removed from the said streets instead.

In witness whereof the parties have hereto set their hands and seals.

Signed sealed and delivered } (Signed) I. A. BRECK, (L.S.)
in presence of } *Pres. K. P. & C. S. Ry. Co.*
(Signed) JOHN BARRIE. } (Signed) JOHN HERALD,
Mayor (L.S.)

(Signed) JOHN BARRIE,

(Signed) MICHAEL FLANAGAN,

Witnesses to Mayor's Signature.

A By-law to adopt a new Common Seal of the Corporation of the City of Kingston, and to cancel and abolish the Common Seal now in use by the said Corporation.

Passed Monday, January 9th, 1882.

Whereas it is expedient to adopt a new Common Seal of the Corporation of the City of Kingston, and to cancel and abolish the Common Seal now in use by the said Corporation.

Be it therefore enacted by the Council of the said Corporation as follows :

1. That the Common Seal now in use by the said Corporation is hereby cancelled and abolished, and shall not be further used or be of any effect. Provided that all By-laws, debentures, notes and other documents to which the said seal has been heretofore lawfully affixed, and which are now in force or unpaid, shall be and remain valid and binding, as if this By-law had not been passed.

2. That the seal, of which there is a description and a drawing immediately following this section, is hereby declared to be from henceforth the Common Seal of the said Corporation in the place and stead of the seal cancelled and abolished in and by the first section of this By-law.

Description of the Seal adopted in Section two of this By-law and a drawing of the same :



Description :—Shield, Chevron, with two Crowns (English and French), City on lower part, Beaver above, Shield support-

ers, Lion and Unicorn, on scroll the words "Pro Rege, Grege, Lege," and around the outer edge of the face of the seal the words "The Seal of the City of Kingston" and "Ontario."

3. This By-law shall take effect on and after the first day of March, 1882.

(Signed) E. J. B. PENSE, (L.S.)
Mayor.

(Signed) M. FLANAGAN, *City Clerk.*

A By-law to change the names of certain streets in the City of Kingston herein named.

Passed Monday, June 30th, 1890.

Whereas it is expedient for various reasons to change the names of certain streets in the City of Kingston.

Be it therefore enacted by the Corporation of the City of Kingston as follows:

1. That the name of Park Street, near the lower Grand Trunk Station, is hereby changed to Hickson Avenue, by which latter name it will for the future be known, the reason for the change being that there is another street named Park Street in the city.
2. That the name of John Street, running from Division Street to Montreal Street, is hereby changed to Russell Street, by which latter name it will for the future be known, the reason for the change being that there is another street named John Street in the city.
3. That the street part of which is called George Street and part Picard Street, running from Division Street to Rideau Street, shall hereafter be called Raglan Road instead of the names it now bears, the change being made partly because there is another street named George Street in the city, and partly at the request of the inhabitants of the locality.

4. That the name of James Street, running from Carlisle Street to Quebec Street, is hereby changed to Chestnut Street, by which latter name it will for the future be known, the reason being that there is another street named James Street in the city.

5. That the name of William Street, running from Princess Street to the Water Tower, is hereby changed to Tower Street, by which latter name it will for the future be known, the reason for the change being that there is another street named William Street in the city.

6. That the name of Victoria Street, running East from Division Street to Nelson Street, is hereby changed to Stanley Street, by which latter name it will for the future be known, the reason for the change being that there is another street named Victoria Street in the city.

7. That the streets called Upper Bagot Street and Main Street, running from Colborne Street to Division Street, shall hereafter be called Main Street throughout, and by which name they shall for the future be known, the change being made in order to have a continuous name for the whole street, and also because there is another street called Bagot Street in the city,

8. That the streets called Johnson Street and Raglan Street, running from the harbor to the Western limits of the city, shall be hereafter called Johnson Street throughout, by which name they shall for the future be known, the change being made in order to have a continuous name for the whole street, and also because there is to be a Raglan Road.

9. That the streets called Rideau Street and Allen Street, running from Barrack Street northerly to Montreal Street, shall be hereafter called Rideau Street throughout, by which name they shall for the future be known, the change being made in order to have a continuous name for the whole street.

10. That the name of the part of Gordon Street lying south of Princess Street is hereby changed to University Avenue, by which latter name the said part shall be hereafter known, the

change being made in compliance with the prayer of the petition of the inhabitants of the locality, residents on said street.

11. That the street called Upper Albert Street, running from York Street to the concession line between the first and second concession of the Township of Kingston, shall be hereafter called Lansdowne street, by which name it shall for the future be known, the change being made because there is another street named Albert Street in the city.

12. That the small street running from York Street to Quebec Street is hereby named Prime Street, as it has had no name hitherto.

13. That the street running from the western city limits to the lane on the "Ellerbeek" property is hereby named Davidson street, as it has had no name hitherto.

14. That the street forming the continuation of Stuart Street from Gordon Street to Albert Street, and called Herchmer Street, shall for the future be called and known as Stuart Street in conjunction with said Stuart Street, the two streets being hereafter known as Stuart Street, the reason of the change being to avoid confusion of the two names and to have a continuous name for the whole street.

15. That the name of Liddell Street is hereby changed to Deacon Street, by which latter name it will for the future be known, the reason for the change being that it is popularly known as Deacon Street.

16. That this By-law is passed subject to the approval of the County Judge of the County of Frontenac.

17. That this By-law shall take effect at the time provided by law if approved of by the said County Judge.

(Signed), W. M. DRENNAN,

Mayor. [L. S.]

(Signed), M. FLANAGAN,

City Clerk.

An Act respecting the Debt of the City of Kingston.

Assented to 23rd April, 1887.

Whereas the Corporation of the City of Kingston, by their petition, shew that by an Act of the Legislature of the Province of Ontario, passed on the 2nd day of March, 1872, the debt of the said Corporation was consolidated at the sum of \$470,000, of which sum \$300,000 was a bonus granted by the said Corporation to the Kingston and Pembroke Railway Company, to assist in the building of the Kingston and Pembroke Railway, a work which will continue to confer advantages upon the ratepayers of the said city permanently; and whereas by the said Act the said debt was made payable in annual instalments during a period of thirty years, debentures therefor being issued accordingly, the last of said instalments falling due in the year 1901; and whereas since the said Act was passed the said Corporation has raised a loan on the credit of the debentures of the said Corporation of \$25,000, also payable by annual instalments during a period of twenty years, the last of said instalments falling due in the year 1896; and whereas there has been paid on account of the principal of the said debenture debt, besides the interest, the sum of \$147,300, leaving unpaid of the principal on the 31st day of December, 1886, the sum of \$347,700; and whereas the said Corporation has also incurred, since the passing of the said Act, a floating debt amounting to the sum of \$24,000; and whereas the said Corporation has petitioned to be authorized to consolidate the said floating debt, and to issue debentures for a loan for the payment of the same, bearing interest and payable as set forth in Schedule "A" to this Act, without providing a sinking fund or making other provision for the payment of the principal than as hereinafter provided, the interest to be levied by an annual special rate, over and above all other rates, on the ratable property of the said municipality, and the principal of the said debt to be similarly levied for, in the years in which the said debentures therefor shall fall due respectively, as set forth in Schedule "A" to this Act, and also to be authorized to relieve the ratepayers of the said city by effecting an extension of the time for the final payment of a portion, amounting

to the sum of \$305,600, of the said debenture remaining unpaid, by issuing and negotiating a loan or loans upon the credit of new debentures for the sums, and to be issued and payable as set forth in Schedule "B" to this Act, and without providing a sinking fund or making other provision for the payment of the principal than as hereinafter provided, the interest and the principal to be levied for as aforesaid, and to pass without the formalities required by law in such cases, all necessary By-laws for the issue of the debentures aforesaid and for the levying of the special rates thereunder required for the payment of the interest and principal of the said debts as aforesaid; and whereas the Council of the said Corporation have also asked for special powers in the matter of certain proposed debentures for a loan to purchase and improve the Water Works of the said city, or to pay a bonus to the Napanee and Tamworth Railway Company; and whereas it is expedient to grant the prayer of the said petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as "The City of Kingston Debt Arrangement Act, 1887."
2. The said floating debt of the said Corporation is hereby consolidated at the sum of \$24,000, and the said Corporation is hereby authorized to issue debentures therefor, as set out in Schedule "A" to this Act, in sums not less than \$100, and not exceeding in the whole the sum of \$24,000, bearing interest from the date at a rate not exceeding six per centum per annum and to be issued as of the date and payable as set forth in Schedule "A," and to raise thereon a loan for the purpose of paying off the said debt of \$24,000.
3. The said Corporation is hereby authorized to liquidate each year from the passing of this Act, inclusive, the portions of the said debenture debt yearly falling due, amounting together to the sum of \$305,600, as aforesaid, as set forth in column three of Schedule "C" to this Act, by issuing new debentures for such portions as set forth in said column three of Schedule "C" in

sums not less than \$100, and not exceeding in the whole in any year the proportion of the said debt to be so liquidated in that year, as set forth in said column three of Schedule "C," and raising a loan thereon for the said purpose, which said debentures shall be issued as of the dates and be payable as set forth in Schedule "B" to this Act, and shall bear interest from such dates at a rate not exceeding six per centum per annum.

4. The said Corporation is hereby authorized to pass a By-law, or By-laws, for the issue of the said debentures and the levying on the ratable property of the municipality of an annual special rate in each year until the said debentures shall all be paid, over and above all other rates, sufficient for the purpose of paying the interest on the said debentures, in each year while the same are running, and in the years in which the said debentures shall respectively become due, sufficient also to pay the principal of the debentures so becoming due, and it shall not be necessary to provide for the payment of such principal by a sinking fund or otherwise, until the years respectively in which the debentures for the respective portions of the same become due as aforesaid, in which years respectively the respective portions of the said principal due therein shall be levied for and paid as aforesaid, and the said By-laws may be passed without obtaining the assent of the electors of the said municipality to the same, and without observing any of the other formalities required by law in such cases, and the interest on the said debentures may be made payable yearly or half-yearly, as the Council of the said Corporation may provide in the said By-law or By-laws.

5. So much of the special rates provided to be levied by the By-laws under which the outstanding debentures for the said debenture debt were issued as would be required to provide the portion of the said debt to be liquidated in each year by means of a new issue of debentures as aforesaid, shall not be levied after the issue of the new debentures for or in respect of the same, and nothing in this Act contained shall authorize the statutory limit of two cents in the dollar on the whole ratable property of the said municipality for the general and special

rates of the same, over and above school rates, to be exceeded in any year.

6. The series of the said debentures to be issued for the said floating debt may be issued and dated as of the 31st day of December, 1886, and shall bear interest from that date.

7. No irregularity or informality in the form of the said debentures, or of the By-law or By-laws authorizing their issue, or in the passing of said By-law or By-laws, or in the special rates to be levied under the same, shall render the said debentures, By-laws or rates, or any or either of them, invalid or illegal, or be allowed as a defence to any action or proceeding brought or taken to recover or enforce the same, or either of them.

8. Every special rate to be levied under the authority of this Act may be levied under the name of "Debt arrangement loan rate," and when more than one such rate is to be levied in the same year they shall be levied together as one rate under the said name.

9. It shall not be necessary in the By-law or By-laws to be passed under this Act to recite any of the matters required to be recited in By-laws creating debts not payable within the year, but it shall be sufficient to state instead that such By-law or By-laws is or are passed in pursuance of this Act, citing it.

10. The debentures for the said loans may be, principal and interest, made payable in the sterling money of the United Kingdom of Great Britain and Ireland, not exceeding in value the sums hereby authorized, and may be negotiated there.

11. The Council of the said Corporation, in the case of the issue of debentures for a loan to purchase and improve the water-works of the said city, or to pay a bonus to the Napanee and Tamworth Railway Company, should such issue be first duly authorized for both or either of the said objects by By-laws or a By-law duly assented to by the electors of the said municipality and passed as required by law, may extend the period within which such debentures shall be payable to forty years from the date of issue.

12. Nothing in this Act contained shall affect the debt incur-

red by the said Corporation on account of the public schools of the said Municipality, or the debentures issued, or to be issued, for or on account of the same.

13. Nothing in this Act contained shall be held or taken to discharge the said Corporation from any indebtedness or liability not included in the said debts dealt with hereby.

SCHEDULE A:

| Amount of the Debentures to be issued for Floating Debt. | Date of the Debentures. | Period for which the Debentures are to run. | Time when the Debentures fall due. |
|--|-------------------------|---|------------------------------------|
| \$ 6,900 00 | Dec. 31, 1886 | 16 years | Dec. 31, 1902 |
| 7,400 00 | " " " | 17 " | " " 1903 |
| 7,800 00 | " " " | 18 " | " " 1904 |
| 1,900 00 | " " " | 19 " | " " 1905 |
| <u>\$ 24,000 00</u> | | | |

SCHEDULE B.

| Amounts for which new Debentures for the present Debenture Debt are to be issued. | Date of the issue as per Act. | Period for which the Debentures are to run. | Time when the Debentures fall due. |
|---|-------------------------------|---|------------------------------------|
| \$ 6,200 | Dec. 31, 1887 | 18 years | Dec. 31, 1905 |
| 8,000 | " " " | 19 " | " " 1906 |
| <u>14,200</u> | | | |
| \$ 1,800 | " " 1888 | 18 " | " " 1906 |
| 10,300 | " " " | 19 " | " " 1907 |
| 2,800 | " " " | 20 " | " " 1908 |
| <u>14,900</u> | | | |
| \$ 8,000 | " " 1889 | 19 " | " " 1908 |
| 7,600 | " " " | 20 " | " " 1909 |
| <u>15,600</u> | | | |
| \$ 3,800 | " " 1890 | 19 " | " " 1909 |
| 11,800 | " " " | 20 " | " " 1910 |
| 800 | " " " | 21 " | " " 1911 |
| <u>16,400</u> | | | |
| \$ 11,700 | " " 1891 | 20 " | " " 1911 |
| 5,500 | " " " | 21 " | " " 1912 |
| <u>17,200</u> | | | |
| \$ 7,700 | " " 1892 | 20 " | " " 1912 |
| 10,400 | " " " | 21 " | " " 1913 |
| <u>18,100</u> | | | |
| \$ 3,400 | " " 1893 | 20 " | " " 1913 |
| 14,500 | " " " | 21 " | " " 1914 |
| 1,100 | " " " | 22 " | " " 1915 |
| <u>19,000</u> | | | |
| \$ 14,100 | " " 1894 | 21 " | " " 1915 |
| 5,800 | " " " | 22 " | " " 1916 |
| <u>19,900</u> | | | |
| \$ 10,200 | " " 1895 | 21 " | " " 1916 |
| 10,700 | " " " | 22 " | " " 1917 |
| <u>20,900</u> | | | |
| \$ 6,100 | " " 1896 | 21 " | " " 1917 |
| 15,900 | " " " | 22 " | " " 1918 |
| <u>22,000</u> | | | |
| \$ 1,700 | " " 1897 | 21 " | " " 1918 |
| 18,500 | " " " | 22 " | " " 1919 |
| 2,900 | " " " | 23 " | " " 1920 |
| <u>23,100</u> | | | |
| \$ 16,600 | " " 1898 | 22 " | " " 1920 |
| 7,600 | " " " | 23 " | " " 1921 |
| <u>24,200</u> | | | |
| \$ 12,800 | " " 1899 | 22 " | " " 1921 |
| 12,600 | " " " | 23 " | " " 1922 |
| <u>25,400</u> | | | |
| \$ 8,800 | " " 1900 | 22 " | " " 1922 |
| 17,900 | " " " | 23 " | " " 1923 |
| <u>26,700</u> | | | |
| \$ 4,600 | " " 1901 | 22 " | " " 1923 |
| 23,400 | " " " | 23 " | " " 1924 |
| <u>28,000</u> | | | |

SCHEDULE C.

Column 2 shows amount of the debenture debt falling due in the following years.

Column 3 shows amount of the said debt in respect of which new debentures are to be issued in each of the said years, the balances to be paid in the said years.

| YEAR. | No. 1. | No. 2. | No. 3. |
|------------|--------|-------------------|-------------------|
| 1887 | | \$ 15,500 | \$ 14,200 |
| 1888 | | 16,400 | 14,900 |
| 1889 | | 17,300 | 15,600 |
| 1890 | | 18,500 | 16,400 |
| 1891 | | 19,500 | 17,200 |
| 1892 | | 20,800 | 18,100 |
| 1893 | | 21,900 | 19,000 |
| 1894 | | 23,200 | 19,900 |
| 1895 | | 24,700 | 20,900 |
| 1896 | | 26,100 | 22,000 |
| 1897 | | 25,500 | 23,100 |
| 1898 | | 27,100 | 24,200 |
| 1899 | | 28,700 | 25,400 |
| 1900 | | 30,400 | 26,700 |
| 1901 | | 32,100 | 28,000 |
| | | \$ 347,700 | \$ 305,600 |

A By-law to Appoint a City Engineer and Surveyor.

Passed Monday, August 22, 1887.

Whereas it is expedient to appoint a City Engineer and Surveyor for the City of Kingston, the said office being now vacant.

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows :

1. That Thomas Oliver Bolger, Provincial Land Surveyor, be and he is hereby appointed to be City Engineer and Surveyor for the Corporation of the City of Kingston from the first day of September, 1887, to hold office during the pleasure of and until removed by this Council.

2. That the salary of the said officer shall, besides an office, and light, and fuel, free, be the sum of \$1,500.00 per annum, payable in equal monthly portions on the first day of each month during the time he shall hold such office.

3. That the duties and hours of service of the said officer shall be those contained and set forth in "The Consolidated By-laws of the City of Kingston," or in any amendment thereto passed, or which may be passed, as to and respecting the City Engineer, or the City Engineer or Surveyor, and also such other duties as may be imposed on or prescribed for such officer by this Council from time to time in connection with the Water Works or other works of the city.

(Signed), JOHN CARSON, (L.S.)

Mayor.

(Signed), M. FLANAGAN,

City Clerk.

A By-Law to Appoint a Clerk of the Public Markets and a Harbour Master of and for the City of Kingston.

Passed October 20th, 1890.

Whereas a vacancy occurred in the office of the Clerk of the Public Markets of the City of Kingston, and also in the office of Harbour Master of the City of Kingston, upon the death of Alexander Smyth, the late Clerk and Harbour Master, which it was expedient and necessary to fill, and which offices were recently filled by the appointment by this Council of William McCammon to be Clerk of the Public Markets of the City of Kingston and also Harbour Master of the said City.

And whereas the said William McCammon has, with two good and sufficient sureties entered into the bond to this Corporation required by section 375 of "The Consolidated By-laws of the City of Kingston," for the due and faithful performance of his the William McCammon's duties as such Clerk of the Public Markets of the City of Kingston.

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows:—

1. That the said appointment of the said William McCammon by this Council to be Clerk of the Public Markets and Harbour Master of the City of Kingston, in succession to the said Alexander Smyth aforesaid, and by which appointment the said William McCammon was to enter into and upon and take up the duties of his said offices on the first day of October, 1890, is hereby confirmed, and the said William McCammon hereby declared to be Clerk of the Public Markets and Harbour Master of the City of Kingston, to hold the said offices during the pleasure of this Council.

2. That the said William McCammon shall faithfully perform the duties of his said respective offices as the same are defined and set forth in the By-laws of the City of Kingston, passed or to be passed, and in force from time to time, and shall see that the provisions of the said By-laws applying to the public mar-

kets and the harbour of the said City are properly observed and shall prosecute all persons guilty of infringing the same.

3. This By-law shall come in force and take effect on its passing.

(Signed) W. M. DRENNAN,

Mayor.

(Signed) M. FLANAGAN,
City Clerk.

TAX EXEMPTION BY-LAWS.

1. A By-law to partially exempt the property of the Kingston and Pembroke Railway Company from both municipal and school taxes for a period of 20 years from the 1st day of January, 1885. Expires 1st January, 1905.

[Passed Monday, October 24th, 1881.]

2. A By-law to partially exempt from municipal taxation (except school taxes and rates for local improvement works) the property of the Dominion Cotton Mills Company (limited) for a period of ten years from the 30th day of June, 1891. Expires 30th June, 1901.

[Passed Monday, April 4th, 1892.]

3. A By-law to partially exempt from municipal taxation (except school taxes and rates for local improvement works) the property of the Kingston Hosiery Company (limited) for a period from the 31st day of December, 1892, until the 31st day of December, 1901.

[Passed Thursday, January, 1894.]

4. A By-law to exempt the property of the Montreal Transportation Company from the payment of municipal taxes (except local improvement rates) and to fix the amount of school taxes to be paid by the Company at \$217.86 per annum for a

period of ten years from the 1st day of July, 1893. Expires 1st July, 1903.

[Passed Monday, February 19th, 1894. Confirmed by 57 Vic., Chap. 69.]

5. A By-law to exempt the property of the Kingston Vehicle Company (limited) from municipal taxation (except school taxes and rates for local improvement works) for a period of ten years from the 1st day of January, 1895. Expires 1st January, 1905.

[Passed Monday, September, 1894.]

6. A By-law to partially exempt Joseph Carrington's "Tannery" from municipal taxation (except local improvement rates and school taxes) for a period of ten years from the 1st day of January, 1894. Expires 1st January, 1904.

[Passed Monday, October 29th, 1894.]

7. A By-law to exempt the property of the Canadian Locomotive and Engine Company (limited) from municipal taxation (except local improvement rates and school taxes, for a period of ten years from the 1st day of January, 1894. Expires 1st January, 1904.

[Passed Monday, October 29th, 1894.]

A By-law Relating to and to Provide for the Regulating and Licensing Second-hand Stores and Junk Stores in the City of Kingston.

Passed Monday, April 30th, 1886.

Be it enacted by the Board of Commissioners of Police of the City of Kingston as follows :

1. Every person opening or keeping a second-hand store or a junk shop in the city shall first obtain from the Chief Constable of the Police Force of the city a license, and shall pay him the license fee hereinafter fixed for such license, and the said Chief Constable is hereby authorized to issue such license upon receiving the license fee therefor herein provided.

2. Subject to section 5 of this By-law said license fee shall be the sum of \$5, and the license shall be for one store only, and shall be for a period of not more than a year, and shall terminate on the 31st day of the month of December in the year in which it is issued.

3. The said license shall be issued upon, and shall have, the following conditions endorsed on the back of the same, that is to say :

(a) The licensee shall keep a suitable book, in which he shall enter as they are made all the purchases made by him, or by any one in his behalf, describing the articles purchased and stating the price paid, and also the name and residence of seller, giving the number and street, which particulars he shall obtain from the seller, and also the date of the purchase.

(b) The licensee, or any one in his behalf, shall not sell any article purchased by him until two days (not including Sunday) after its purchase, during which time he shall keep such article exposed to public view in his store, in the front part of the same, in a special place or compartment, and allow any person to examine the same without charge.

(c) The licensee shall not, nor shall any person in his behalf, purchase any article from any person who is under fifteen years of age.

(d) The licensee shall not, nor shall any one in his behalf, purchase any article which he thinks, or has reason to think, has been stolen, from the newness of the article, the marks on it, if any, the lowness of the price asked, or acceptable, or for any other reason, and shall inform the police of the attempt to sell such article to him.

(e) The licensee shall at all times, between seven o'clock a.m. and eight o'clock p.m., on every lawful day or days, permit any detective or policeman to search, without a search warrant, his house or store, for stolen goods or articles, and to examine the book in condition (a) mentioned.

(f) Each licensee shall keep suspended in a public place in his store, so as to be read by persons going therein, a copy of the provisions of this By-law relating to second-hand stores and junk stores, such copy to be furnished on application by the Chief Constable.

(g) Upon the breach of any of the above conditions the said licensee shall be deemed guilty of a breach of this By-law, and liable to the penalty in such case provided.

(h) Upon the licensee being convicted of a third breach of the said conditions his license shall be forfeited, and a breach of any one of the said conditions shall be held to be a breach of the said conditions, within the meaning of the condition.

4. The Chief Constable shall, without a warrant as aforesaid, visit, or cause to be visited, on every alternate lawful day, each licensed second-hand store and junk store within the hours before mentioned; but nothing in this section contained shall prevent him visiting, or causing to be visited, such stores at other times, when he shall deem it necessary or proper to do so.

5. The licenses now issued under "The Consolidated By-laws of the City of Kingston" shall be called in, and new licenses under this By-law shall be granted to the licensees by the Chief Constable for the current year, without a license fee, and for all new licenses issued during the current year only one dollar license fee shall be charged, and after the current year the

license fee fixed in section 2 of this By-law shall be charged, and all present licenses as aforesaid shall, as well as all new licenses, be subject to the provisions of this By-law.

6. That the Chief Constable, immediately upon receiving a license fee under this By-law, shall pay the same over to the City Treasurer of this city and take his receipt for the same.

7. That the licenses to be issued under this By-law shall be in the form set forth in Schedule A of this By-law, and shall be signed by the Chairman of the said Board and countersigned by the said Chief Constable, and shall have endorsed thereon the conditions aforesaid as hereinbefore provided.

8. Any person guilty of a breach of any of the provisions of this By-law shall, unless where another and different penalty is prescribed by the By-law, on conviction, be fined in any sum not exceeding fifty dollars, exclusive of the costs of prosecution, and in default of payment of the fine and costs forthwith, or as directed by the convicting Magistrate, the said fine and costs may be levied by distress and sale of the goods and chattels of the offender, and in default of sufficient distress out of which the said sums can be levied, and in default of payment of the same otherwise, such offender may be imprisoned in the Common Jail of the County of Frontenac, with or without hard labor, for any period not exceeding six months, unless the said fine and costs be sooner paid.

9. This By-law shall come in force and take effect on its passing.

(Signed), JOHN L. WHITING,
Chairman.

SCHEDULE A.

The Board of Commissioners of Police of the City of Kingston.

Received from the Licensee, the sum of dollars, being the license fee payable for this license. Chief Constable. 18 Kingston,

License Store.

The Board of Commissioners of Police of the City of Kingston hereby grants to a License to keep a Store on Lot No. side of street, City of Kingston, from twelve o'clock noon on the day of 18 instant until the thirty-first day of December now next ensuing inclusive, under and subject to the provisions of the By-law passed by the Board of Commissioners of Police of the said City on the 30th day of April, 1886, entitled "A By-law Relating to and to Provide for the Regulating and Licensing of Second-hand Stores and Junk Stores in the City of Kingston," and to the conditions endorsed on the back of this License.

Witness the hand of the Chairman of the Board of Commissioners of Police of the City of Kingston this day of A. D. 18

Chairman.

A By-law Relating to Livery Stable Keepers in the City of Kingston, and to Licensing the Same.

Passed this 3rd day of August, 1895.

Be it enacted by the Board of Commissioners of Police of the City of Kingston as follows :

1. From and after the passing of this By-law every person owning or keeping, or intending to own or keep, a livery stable, or letting or intending to let out horses and carriages or other vehicles of travel for hire in the said City of Kingston, shall first apply to the Board of Commissioners of Police of the said city for a license, who may grant the same, which license, when granted, shall authorize the person in whose name it is issued, and no other, to keep a livery stable and to carry on the business or occupation of letting out horses and carriages or other vehicles of travel for hire or reward ; and no person shall keep a livery stable or carry on such business in the city without having first obtained and paid for such a license.

2. Every owner or keeper of a livery stable, licensed as aforesaid, shall at all times keep, for the accommodation of the public, a sufficient number of safe, gentle and tractable horses, good, strong and sufficient vehicles and harness, and drivers, hostlers and other servants, who shall be sober, steady and careful men, competent to their business. And any such licensee who shall not keep such horses, vehicles and servants, as aforesaid, shall, upon being duly convicted of the offence, be subject to the forfeiture of his license, with costs, or, in the alternative, to the penalty and costs provided hereinafter for a breach of this By-law.

3. Any person licensed under this By-law as aforesaid who shall carry or keep, or suffer to be carried or kept, any unprotected or exposed candle, lamp or lantern, or other light, or use or suffer to be used any smoking pipe or cigar, within his stables or other place where hay or other fodder shall be kept, or who shall keep or suffer to be kept any fire within the said stables or other place, shall, upon conviction as aforesaid, be sub-

ject to either of the penalties in the last preceding clause authorized, and costs.

4. Any person licensed under this By-law who shall cruelly beat or in anywise ill-treat any horse belonging to him or under his charge, or knowingly allow any of his agents or servants to do the same, or who shall suffer any such horse to be used when sick, lame, or otherwise in a condition unfit for travel, shall, upon conviction, be subject to either of the penalties in section two of this By-law authorized, and costs.

5. For the purpose of this By-law every horse in the possession or under the control of any person licensed as aforesaid, his agent or servant, shall be deemed to belong to such person, unless he can prove to the satisfaction of the Chief of Police that any such horse is placed under his charge at the livery, and that he does not let out the same for hire or reward, and such licensed person who shall, when obtaining his license, or when called upon by the Chief of Police or other authorized officer of the said Board, misstate, conceal or otherwise deceive as to the true number of horses in his possession, or under his control or charge, shall, for every such offence, on conviction, be subject to the penalty and costs hereinafter provided for a breach of this By-law.

6. For the carrying out of the provisions of this By-law, and to ascertain whether any of the same are violated, it shall be lawful for the Chief of Police or other authorized officer of the said Board to enter into any part of the premises in the occupation of any person licensed under this By-law, and inspect and examine the same, or any animals, articles or things therein contained; and any such licensed person or other persons who shall obstruct or hinder, or cause to be obstructed or hindered, the Chief of Police or other officer as aforesaid in the execution of his said duty, shall, upon conviction, be subject to the penalty and costs hereinafter provided for a breach of this By-law.

7. It shall not be lawful for any person licensed under this By-law, with any horse or vehicle, to carry or suffer to be carried, any goods, wares, merchandise, baggage, burthen, or loading of any description, commonly carried by the licensed carters

of the said city, unless the same shall be for his particular use and that of no other person whatever, or unless the same be conveyed out of the limits of the said city, when he shall be employed in the regular course of his business, as authorized by this By-law; and any such licensed person thus offending shall, on conviction thereof, be subject to forfeit his license, and to the penalty and costs provided hereinafter for a breach of this By-law.

8. It shall be the duty of the Chief of Police to enter, in a book kept for that purpose, the names of all persons receiving licenses under this Act, the number of his license, and the locality of the place of business of each; and he shall, on being ordered by the Board and payment to him of the license money, make out and deliver a license to the person so authorized to receive the same, and all such licenses shall be numbered in yearly series from one upwards.

9. Every license granted under this By-law shall expire on the thirty-first day of December next ensuing the date of issue thereof, and not otherwise, and shall entitle the person taking out the same to keep twelve horses and no more, and any such licensed person who shall at any time desire to employ a greater number of horses than twelve shall apply to the Board to have the desired additional number endorsed on his license, which endorsement and the payment of two dollars for each horse so added shall be his authority for employing such additional number of horses until the expiration of his license. Any such person who shall at any time keep, to let out for hire or reward, a greater number of horses than is thus allowed by his license and the endorsement thereon, shall be subject to the penalty and costs hereinafter provided for a breach of this By-law.

10. The price of each license under this By-law shall be ten dollars, which shall be paid to the City Treasurer before the issue of the license, and belong to the general funds of the city, and the City Treasurer shall grant a receipt for the license money, and such receipt shall be produced to the Clerk of this Board, who shall thereupon issue the license as aforesaid, and such license shall be signed by the Chairman of the said Board,

and countersigned by the Clerk of this Board, who shall file the receipt and keep a record thereof, including the name of the licensee and the number of the license, and if the license issue after the first day of July the sum of five dollars only shall be charged.

11. Any licensed livery stable keeper who breaks any agreement he has entered into with any person for the hire of a horse or horses and vehicle shall be deemed guilty of a breach of this By-law, and shall be dealt with accordingly.

12. Any person who breaks any agreement he has entered into with any licensed livery stable keeper for the hire of any horse or horses and vehicle by refusing to pay the lawful charge for such horse or horses and vehicle, or by driving beyond the place stated at the time of the hiring, or improperly using the horse or horses and vehicle hired, shall be deemed guilty of a breach of this By-law and shall be dealt with accordingly, and shall also pay such damages as the Magistrate shall assess.

13. No person having a valid license at the time of the passing of this By-law shall be required to take out a new license until said license so held by him shall expire.

14. Words in this By-law importing the masculine gender only shall include females as well as males, and the word "person" may be construed to mean more than one person wherever and whenever necessary for the proper construction of this By-law.

15. Every person keeping a horse or horses and vehicles for hire, other than such as may be included in and licensed under the By-law relating to cabmen and carters, shall be deemed a livery stable keeper, and a license issued under this By-law shall not authorize the licensee to act as a cabman or carter.

16. Any person who shall be guilty of an infraction of this By-law shall, upon due conviction therefor before the Police Magistrate of this city, or any Justice of the Peace having jurisdiction, be subject to the specific penalties hereinbefore provided in the case, with costs, and in cases where there are no specific penalties provided the convicted person shall forfeit and pay, at

the discretion of the convicting Justice, a penalty not less than two dollars nor more than fifty dollars, together with costs, and in default of the payment of any money penalty and costs ordered to be paid under any provision of this By-law, the same shall be levied by distress and sale of the offender's goods and chattels, and in case of no sufficient distress to satisfy the said penalty and costs being found, it shall be lawful to commit the offender to the Common Gaol of the County of Frontenac in this city, there to be imprisoned for any period not exceeding six months, unless the said penalty and costs be sooner paid.

17. The licenses to be issued under this By-law shall be paid for as follows:—If issued before the first day of July, the full price shall be paid; if issued after the first day of July, one-half the full price shall be paid.

18. This By-law shall come in force and take effect on its passing.

19. From the time this By-law comes in force and takes effect all By-laws contrary to, or inconsistent with, this By-law shall be and are hereby repealed.

20. Livery stable keepers shall be entitled to demand or take and receive the sums set forth in the following tariff for the services therein stated respectively, and no more or greater sums, and no livery stable keeper shall demand or take or receive from any person any greater sums for such services than are set down in the said following tariff, and the said charges shall not be affected by the number of persons driving in any vehicle, but no hirer of a horse or horses and vehicle shall overload the same or drive the horse or horses drawing any vehicle beyond the rate of six miles per hour (unless a special arrangement has been made by the owner to the contrary), or otherwise cruelly treat or beat such horse or horses.

(Signed), JOHN DUFF, P.M.,
Chairman Police Commissioners

LIVERY STABLE TARIFF.

| | |
|--|--------|
| For every single horse and buggy, phaeton, cutter, or vehicle to carry two people, for first hour..... | \$0 75 |
| For every additional hour | 0 25 |
| For every single horse and vehicle per day of 12 hours or 30 miles' drive..... | 3 00 |
| For every single horse and vehicle for half a day of six hours..... | 2 00 |
| For every team and vehicle per day of 12 hours or 30 miles' drive | 5 00 |
| For every team and vehicle for a half day of six hours ... | 3 00 |
| For buggies, cutters, democrats, two-seated sleighs, etc., per day..... | 1 00 |
| For a team and carriage per hour | 1 00 |
| For every additional hour..... | 0 50 |
| For every two-horse carriage to Cataraqui or the Roman Catholic Cemetery at a burial..... | 2 00 |
| For every saddle horse for two or three hours..... | 1 50 |
| For every double team and carriage to and from dinner parties | 1 50 |
| For a team and carriage to and from balls, for both ways | 2 00 |
| For every additional hour after ordering the return... | 1 00 |

(Signed), JOHN DUFF, P M.,
Chairman Police Commissioners.

**A By-law Relating to and to Provide for the Licensing of
Carters and Cabmen in the City of Kingston.**

Passed this 14th day of June, 1895.

Be it enacted by the Board of Commissioners of Police of the City of Kingston as follows :

CARTERS.

1. This Board may from time to time, as may be required by order, license as a public carter any sober, respectable person who is of the age of eighteen years at least, and who is provided with a proper horse or horses, harness and cart, and sleigh, or with a proper horse or horses and apparatus and tackle for drawing or transporting timber or other heavy loading, upon his paying the license money hereinafter mentioned to the City Treasurer, and producing the City Treasurer's receipt for the same to the Clerk of the Board, and the Clerk of the Board shall thereupon issue the license and shall file the receipt, and shall be entitled to receive a fee of twenty-five cents for his own use from the licensee.

2. From and after the first day of January next the price or charge for a carter's license in the city shall be, for a double or two-horse team five dollars, and for a single team two dollars, a single horse baggage or parcel delivery waggon with narrow tires, to carry baggage and parcels only, two dollars, subject to the provisions of this By-law. Provided that a license as for a double or two-horse team shall not be needed for the two horses which may be used under section eleven of this by-law. Licensed carters shall have the exclusive privilege within the limits of the city of Kingston of carrying loads on carts or other vehicles for hire. Provided that before any such license is issued the horse or horses, harness, cart, truck, vehicle and hauling apparatus of the applicant shall be inspected, and if found suitable passed by the Chief of Police, who shall certify their condition to the Board.

3. Every cart or other vehicle used by a licensed carter in his business shall have his name in full plainly painted thereon in

some conspicuous place, in black letters on a white ground, and also a number corresponding with the number of his license similarly painted beneath his name, such letters to be one inch and a half long and three-eighths of an inch broad, which painting and numbering shall be done under the supervision of the Chief of Police, and such licenses shall be numbered from one upwards in yearly series, and each new license issued in lieu of a former license shall bear the same number that was borne by the former license, and any licensed carter who shall drive a cart or other vehicle in the city of Kingston without having the same painted and numbered as aforesaid shall be dealt with as for a breach of this by-law, and shall be subject to the penalty and costs in that case provided.

4. Each carter's license shall expire on the thirty-first day of December next following its issue, and if it has been issued after the first day of July only one-half of the license money shall be charged.

5. It shall be the duty of the Chief of Police to enter in a book to be kept for that purpose the numbers of the licenses issued to the owners of carts and other vehicles licensed (which shall also be the numbers to be painted on the said carts and other vehicles, respectively, as aforesaid), with the names of the respective licensees and their places of residence, and no such license shall be transferable, neither shall it authorize the carter to employ more than one vehicle to be drawn by one or two horses, or mules, as the case may be.

6. No unemployed licensed carter shall, when called upon, neglect or refuse to take and draw a load, and no licensed carter shall refuse to load his cart or vehicle with any loading that may be conveniently packed or borne thereon not exceeding twelve hundred pounds avoirdupois weight for each horse, but he shall not be obliged to load or carry at any one time more than one pipe or puncheon of wine or liquor, or one hogshead of molasses or sugar.

7. No licensed carter shall charge, take or extort a greater price or rate for his service than that which is hereinafter authorized, and any licensed carter who shall be guilty of so

doing, or who shall be guilty of cruelty to his horse, or of fraud, deceit, gross negligence, drunkenness, profaneness, insulting or improper language or conduct, in following his calling, shall be liable to be dealt with as for a breach of this by-law.

8. If any accident or injury shall happen to any person, animal, cart, carriage, vehicle or other thing, by reason of coming into contact with any licensed carter's horse, or cart, or vehicle, or hauling apparatus, or with anything loaded thereon, while the same is moving, it shall be the duty of the said carter, or the driver of such horse and vehicle, or apparatus, immediately to stop, and, if necessary, render assistance, and he shall also on demand give his name and the number of his license and vehicle or apparatus, and in case any damage or injury shall happen as aforesaid to any article or thing while conveyed by a licensed carter or by his driver in his cart or other vehicle or apparatus, in consequence of his or his driver's negligence, carelessness or inattention, or from the defect or insufficiency of his horse, vehicle, apparatus, harness or tackle (any of which is hereby declared to be an offence against this by-law), the said carter shall, by way of penalty, forfeit and pay to the person sustaining the damage or injury, or the owner or person having charge of such article or thing, the amount of the damages which shall be assessed by the Police Magistrate of the city, and such carter may also be dealt with as for a breach of this by-law, and on his neglect promptly to pay such damages his license may be forfeited.

9. Every licensed carter, when called upon by the Mayor, Police Magistrate, or any member of the police force, shall aid and assist with his cart or other vehicle in the conveyance to the police station house, or to prison, of persons arrested for any offence within the said city.

10. The stands for carters when unemployed and waiting to be hired shall be those authorized and assigned by the City Council of the said city, and no licensed carter shall wait, loiter or remain, with his horse and vehicle or apparatus, on any part of the Market Squares, or on any public street, square, place, wharf or slip, in the said city, except on the said stands, unless when actually employed in his business as a carter.

11. Every licensed carter who is provided with chains, wheels and other necessary tackle for transporting timber or other heavy loading with two horses shall be allowed to demand for drawing such load, not being store or shop merchandise, twice the usual charge.

12. Nothing in this by-law shall prevent a licensed carter, at his own option, from being employed by special agreement at rates other than the rates herein fixed, or from engaging by the hour or by the day at such rates as may be agreed upon, but such agreements shall not be enforceable under this by-law.

13. No person shall carry or draw a load within the said city, or to or from any point not more than three miles beyond the limits of the city, upon any cart or other vehicle, or draw or transport timber or other heavy loading otherwise for hire, either directly or indirectly, without having a carter's license to such person, as required by this by-law, and each day any person so does shall be deemed to constitute a separate and distinct offence against this by-law committed by him.

14. All disputes which may arise with any licensed carter in the pursuit of his calling, or in connection with it, shall be investigated and determined by the Police Magistrate or other member of the said Board.

15. The prices or rates to be taken by licensed carters for their services shall be the following and no other:—

| | |
|--|--------|
| For each load drawn for the distance of three "blocks" of the city or under | \$0 15 |
| For each load drawn for the distance of five "blocks" or under, and more than three "blocks" | 0 20 |
| For each load drawn for the distance of eight "blocks" or under, and more than five "blocks" | 0 25 |
| For each load drawn for the distance of twelve "blocks" or under, and more than eight "blocks" | 0 30 |
| For each load drawn to any part of the city and for a greater distance than twelve "blocks" | 0 50 |
| For the carriage of each cord of firewood and of every three loads of sand for the distance of five "blocks" and under | 0 30 |

| | |
|---|--------|
| For the same for a distance of ten "blocks" or under, and more than five "blocks" | \$o 40 |
| For the same over ten "blocks," or to the limits of the city | o 50 |
| For each load from the limits of the city to any point be- yond and within three miles of the said limits, an additional charge per mile of | o 30 |

16. It shall be lawful for any member of the Board to suspend any carter's license for proved misconduct until the further action of the Board is taken thereon, and no person guilty of such misconduct shall afterwards drive any cart or vehicle for hire in the said city until said suspension shall be removed by the Board.

CABMEN.

17. This Board may from time to time, as may be required, by order, license as a cabman any sober, respectable person of the age of eighteen years at least, who is provided with a proper cab, horse or horses and harness, as hereinafter required. Every chariot, coach, coachee, caleche, carriage, hackney, cab, barouche, landau, sleigh or other vehicle, except an omnibus, by whatever name or names it may be called, whether covered or open, on wheels or runners, drawn by one or more horses or other animals, used for hire in the said city, or to any point or points not more than three miles beyond the limits of the city, for the conveyance of persons within the said city, shall be deemed a cab within the meaning of this by-law.

18. Every person licensed as a cabman shall, at the time of the issue of the license, be the owner of one or more good, sound, well-broken horses, a clean, well-painted, strong and commodious cab, and strong, suitable and good harness, and decent apparel for himself.

19. Every person shall, before getting his license, pay his license money to the City Treasurer, who shall grant him a receipt for the same, which receipt he shall produce to the Clerk of the Board when taking out his license, and the Clerk of the Board shall file the receipt, having first endorsed it with the number of the license, and shall then issue the license, and shall

be entitled to receive from the licensee a fee of twenty-five cents for his own use.

20. The price to be paid for a license for a single cab to persons residing within the limits of the city shall be two dollars.

21. Each cabman's license shall expire on the thirty-first day of December next following its issue, and shall not be transferable, or authorize any person to act as or practise the business of a cabman except the person named therein or his authorized driver.

22. It shall be lawful for any member of the Board to suspend any cabman's license for proved misconduct until the further action of the Board is taken thereon, and no person guilty of such misconduct shall afterwards drive any cab for hire in the said city until such suspension shall be removed by the Board.

23. Licensed cabmen shall have the exclusive privilege within the city of Kingston of carrying persons for hire in their licensed cabs.

24. Every licensed cab shall be numbered, with the number of the license granted to the owner thereof conspicuously painted on the outside back of the cab in white or gilt letters on a black or dark green ground, the letters to be one inch and one-half long and three-eighths of an inch broad, which numbering shall be done under the supervision of the Chief of Police.

25. Each cab or vehicle used for carrying passengers for hire within the city of Kingston, or to any point or points not more than three miles beyond the limits of the city, shall require and have a separate license in respect thereof.

26. A livery stable license or carter's license shall not authorize the licensee to follow the business of a cabman.

27. The cabs shall be numbered from one upwards in yearly series, and the number of the license of each cab shall be worn in brass or white metal figures, at least one inch in length and three-eighths of an inch broad, fastened on a black varnished leather pendant suspended on the forehead of the horse or horses

attached to the cab in respect of which such license was issued, and such figures shall always be kept bright and clean, and shall be provided by the Board, and shall be forthwith returned to the Chief of Police by any cabman who ceases to be a licensed cabman, and each new license issued in lieu of a former license shall bear the same number that was borne by such former license.

28. Every person driving a licensed cab shall be clean, decently and suitably clad, and shall be responsible for the proper condition of his cab, horse, harness and personal appearance, and shall be of good habits and character.

29. Before any license is issued the cab, horse and harness of the applicant shall be inspected and, if found suitable, passed by the Chief of Police, who shall certify their condition to the Board.

30. No licensed cabman shall ply his calling or be allowed to ply his calling within the said city, or to any point or points not more than three miles beyond the limits of the city, unless he has complied and continues to comply with the provisions of this by-law relating to licensed cabmen and cabs.

31. Every licensed cab shall be thoroughly cleaned inside and outside in the morning of each day before being used, and oftener if necessary, and the horse and harness shall always be kept clean and neat.

32. No person driving a licensed cab carrying any person for hire shall smoke tobacco or other thing, in a pipe or otherwise, while so engaged.

33. No person driving a licensed cab shall drive to or remain at any house of ill fame, and the horse, harness and cab in charge of any such person so offending may be at once taken into custody by any policeman and removed to a place of safety.

34. No person shall carry or convey in a cab any person for hire within the said city, or to any point not more than three miles beyond the limits of the city, without having a license as a cabman as herein provided.

35. Any person employing any licensed cabman who shall detain the cab at his place of destination not longer than five minutes shall be entitled to return in the same cab to the place of starting without being liable to pay any additional charge, and should such detention exceed five minutes and not exceed fifteen minutes the driver shall be entitled to charge one-third of the original fare as fixed by this by-law as return fare, and should such detention exceed fifteen minutes and not exceed thirty minutes the driver shall be entitled to charge two-thirds of said original fare as return fare, and if the detention exceeds half an hour the driver shall charge and be paid agreeably to the rate fixed for time.

36. It shall be lawful for a licensed cabman to charge and receive for conveying a passenger one-third more than the tariff rates herein fixed for services rendered after the hour of ten o'clock at night and before five o'clock in the morning from the first day of April to the first day of October in each year, and after the hour of nine o'clock at night and up to six o'clock in the morning during the remainder of the year.

37. No driver of a licensed cab in the said city, unless *bona fide* engaged by some other person in his calling, shall, when called upon by any person, neglect or refuse to carry and convey such person to any place within the city limits, or to any point not more than three miles beyond the city limits, for the lawful fare, which fare shall not be payable until the service therefor shall be duly rendered.

38. It shall not be lawful for the driver of any licensed cab to demand or take for the conveyance of persons from any place within the limits of the said city to any other place within the said limits, or to any place without the said limits and within three miles of the same, as the case may be, any higher fares or rates than the following, which they are hereby authorized to take, that is to say:

From any point within the city limits to any other point within the said limits, except as hereinafter provided :

| | |
|----------------------------------|--------|
| For one person | \$0 25 |
| For each additional person | 0 15 |

| | |
|---|--------|
| For each passenger to or from any railway station in the city between 8 o'clock a.m. and 9 o'clock p.m..... | \$0 25 |
| For each passenger to or from any railway station in the city between 9 o'clock p.m. and 8 o'clock a.m..... | 0 50 |
| By the hour : | |
| From any point within the city limits to any other point or points within the said limits, for the first hour | 1 00 |
| For each additional hour | 0 50 |
| Unless the number of passengers exceeds two adults and one child over the age of 14 years, in which case the charge for each additional hour shall be | 1 00 |
| From any point within the city limits to any point without the city limits, but not more than three miles beyond the same, per hour | 1 00 |

Any time over the hour to be charged in half-hour fractions at 25 cents per fraction. And any licensed cabman or driver exacting or taking any greater price or rate than the foregoing, except as in this by-law is provided, shall be deemed to be guilty of a breach of this by-law, and shall be dealt with accordingly.

39. There shall be affixed to and constantly kept hung up in a conspicuous place inside of every licensed cab, a white card-board card, eight inches long by six inches wide, on which card shall be plainly printed in black letters the number of the cab, the name of the person licensed therefor, and the tariff of rates authorized to be charged for the conveyance of passengers by this by-law, with such extracts from this by-law as the Board may order, and such cards shall be furnished by the Board free of charge.

40. The driver of any licensed cab shall, when required to do so by any person who has or is about to hire the same, exhibit the tariff card aforesaid to such person, and shall also, if requested, state his own name, the number of his license, and where he resides, truly to such person, and if he falsely states any or either of the said particulars he shall be dealt with as for a breach of this by-law.

41. No licensed cabman or driver of a licensed cab shall act

as or use his team or cab as a carter, or as a cart, or drive or lend his horse or cab to be used as or in a cart for hire to draw loads. Provided always that a licensed cabman or driver as aforesaid may convey the luggage (only) of their passengers to and from the place of departure or arrival, without charge, without requiring a carter's license.

42. Every licensed cab driven or used in the night time, unless it be clear, bright moonlight, shall, while so driven or used, have fixed conspicuously, outside in front, on each side of the cab, two well-lighted lamps, at least three and one-half inches in diameter each way, with strong glass fronts and sides. Provided that this section shall not apply to sleighs driven or used in the winter time, but the horses attached to such sleighs shall carry bells as required by law.

43. Any male person eighteen years of age or upwards, not the owner, may, upon written application of the owner to the Board, obtain a written permit signed by the Chairman of the Board, to act as the driver of a cab, upon producing a certificate of good character and competency, and no person shall drive a cab for hire as aforesaid except a licensed cabman or a person having a written permit as aforesaid, and the Board may cancel such permit at any time.

44. A licensed livery stable keeper may also become, on complying with the provisions of this by-law relating to cabmen and cabs, and on obtaining a cabman's license and paying therefor, a licensed cabman, subject to the said provisions.

45. The Board may also grant a license to any owner of an omnibus, subject to the provisions of this by-law relating to cabmen and cabs, who shall apply, and such licenses shall expire at the same time as the cabmen's licenses, and the price to be paid for such license shall be ten dollars, payable before the license issues, and every omnibus licensee shall be subject to the said provisions of this by-law, except as to the fare he may take.

46. The owner or driver of an omnibus shall be entitled to receive and take from each passenger, for a fare, to any point within the city limits, five cents, and from the city limits to and

from any point or points not more than three miles beyond the same, five cents for each passenger, and no charge shall be made by cab or omnibus owners or drivers for children under four years of age when accompanied by a parent or other adult person, or for passengers' parcels.

47. It shall be the duty of the Chief of Police to enter in a book kept for that purpose the numbers of the licenses issued to owners of cabs licensed, with the names of the respective licensees, and each such license shall specify the name of the cabman licensed, the number of his license and of the cab, the description of the cab, and whether it is a one-horse or a two-horse cab, and the names of all holding permits as drivers; and no such license shall authorize the cabman to employ more than one vehicle, and the provisions of this section shall apply to omnibus licenses.

48. Every licensed cabman and driver shall strictly observe the provisions of this by-law relating to cabmen and cabs, and and any licensed cabman or driver who shall infringe any of the provisions of this by-law relating to cabmen and cabs, or who shall be guilty of neglecting to see such provisions strictly observed, or of cruelty to his horse, or of fraud, deceit, gross negligence, drunkenness, profaneness, insulting or improper language or conduct, while following his calling, shall be liable to be dealt with as for a breach of this by-law.

49. No licensed cabman or his driver shall deceive, mislead, give wrong information to, or drive to the wrong place or address from that given to him, or to any disreputable or improper place with the pretence that it is respectable, any traveller, or any stranger or person arrived in the city employing him, and any such cabman or his driver so doing shall be liable to have his license or permit forfeited or annulled, or may be held liable as for a breach of this by-law.

50. No licensed cab shall be used in conveying or carrying any person having any infectious disease, and if any such cab has been so used it shall be thoroughly disinfected before being again used to convey passengers, and every such cabman or his driver shall report to the Chief of Police each occasion of his

cab having been so used or employed immediately after such use or employment ; and any person acting contrary to this section may be dealt with as for a breach of this by-law.

51. The stands for licensed cabmen, when unemployed and waiting to be hired, shall be those authorized and assigned by the City Council of the said city, and no licensed cabman shall wait or loiter, or remain with his horse or horses and vehicle on any part of the Market Squares, or on any public street, square, or place, or slip, except on the said stands, unless when actually employed in his business as a cabman.

52. No licensed cabman or his driver shall make an additional charge for driving from the place where the hiring takes place to the place where the person to be driven is to be taken up, whether the person sent to effect the hiring rides in the vehicle or not, and whether the charge be made on the basis of distance or time, and in case of a disagreement as to distance, time or price, the same may be determined by the Chief of Police, in accordance with the tariff or other provisions of this by-law relating to licensed cabmen and cabs.

GENERAL PROVISIONS.

53. It shall not be lawful for any person to neglect or refuse to pay any licensed cabman or carter or omnibus driver whom he has employed, when lawfully demanded, the rates or charges which such cabman or carter or driver is respectively allowed to charge and take under this by-law, and if it be satisfactorily proved that the proper charge was so demanded, the person so neglecting or refusing to pay shall be deemed to be guilty of a breach of this by-law, and shall be dealt with accordingly.

54. Every licensed cabman and carter shall, while so licensed, keep and use only sound and safe horses, which they shall not ill-treat or use cruelly, and good, clean and sufficient vehicles and harness ; they shall drive their horses at a reasonable pace, and shall not refuse to furnish their horses and vehicles when required at reasonable hours.

55. No licensed cabman, or carter, or driver, shall wilfully

fail or neglect to fulfil an engagement he has entered into with any person to carry or convey him, or a load for him, and any licensed cabman or carter or driver so doing, without being able to show that his default occurred from unavoidable circumstances which he could not control, shall be deemed to be guilty of a breach of this by-law, and in addition his license may be suspended for one week, during which he shall not exercise his calling.

56. No licensed cabman or carter or cabman's driver shall act as the runner, waiter or agent for any hotel, or tavern, or boarding-house, or lodging-house.

57. No licensed cabman or carter or cabman's driver shall enter or go upon any railway platform or wharf to solicit or importune any person to employ or hire his cab, cart, or other vehicle.

58. No licensed cabman or carter shall assign his license, or permit any other person to drive his vehicle, unless he shall obtain permission to do so from the Board, which permission shall be endorsed on the back of the license, and no licensed cabman or carter shall exchange, lend out, or permit to be used by others, his license, or the number of his vehicle and license, or shall have or use a different number than the one under which he is licensed.

59. No person having charge of any licensed cab, cart or other vehicle shall snap or flourish his whip about, or haloo, or use any uncivil or boisterous language, whether on any stand or while engaged in his said business, neither shall he tease or annoy any person by his soliciting him to become his passenger, but he shall remain quietly on the stand, either sitting on his vehicle or standing near his horse.

60. The provisions of this by-law shall not be deemed to apply to persons conveying their own property, or their own families or friends, by their own vehicles and horses without hire.

61. No person having a valid license at the time of the passing of this by-law shall be required to take out a new license for the same subject matter until the license so held by him shall expire.

62. No agreement or engagement whatever, at any time or any occasion, made with the driver of any licensed cab, cart, or other vehicle, as aforesaid, for the payment of more than his lawful charge or fare, shall be binding on the person making the same, but any such person may, notwithstanding any such agreement, refuse, on discharging said vehicle, the payment of any sum beyond the lawful charge of fare.

63. It shall not be lawful for the driver of any licensed cab, cart, or other vehicle, to leave the same unattended, or his horse unfastened, in any part of the said city, whether he shall be hired or not, and if so left it shall be lawful for any policeman to drive the same to a place of safety in the said city, and the driver or owner shall be deemed guilty of a breach of this by-law, and shall be dealt with accordingly. Provided that nothing herein contained shall be construed to prevent a licensed cabman or carter or driver from leaving his horse to get or deliver baggage or other load, or to announce his arrival, or assist his employer into the cab.

64. It shall not be lawful for the owner or driver of any licensed cab, cart, or other vehicle, to let out for hire on the Sabbath day any horse, or any such cab, cart or vehicle, except for works of charity or necessity, or for the purpose of going to or from a place of public worship, or to a funeral, under the penalty, in the discretion of the Magistrate, of forfeiting his license on being duly convicted, or being dealt with as for a breach of this by-law.

65. It shall be the duty of the Chief of Police to inspect all licensed cabs, carts, and other vehicles and apparatus, and the horses and harness belonging thereto, quarterly or oftener, in each year, and whenever the Board shall direct, and to report to the Board as to the state and condition of the same in writing, and it shall be lawful for the Board to suspend the license of any cabman or carter whose vehicle or apparatus shall be found unsafe, insufficient or dirty, or whose horse or horses or harness is or are unfit, or unsound, or dirty.

66. Words in this by-law importing the masculine gender only shall include male and female, and the word "person" may

be construed to mean more than one person, and the word "horse" may be construed as meaning any draught animal, whenever necessary to a proper construction of this by-law.

67. All licenses issued under this by-law shall bear date on the day of issue, and shall state the number of the license and of the vehicle to which it refers, the number of horses to be used in drawing the vehicle, the description of the vehicle, the price of the license, the date of its expiry, and the number of passengers which may be carried in the case of a cab or omnibus, the name of the licensee, and shall be signed by the Chairman of this Board and countersigned by the Clerk of this Board.

68. No rebate shall be made of or in any license money received for a license issued under this by-law, and on the forfeiture of any license issued under this by-law none of the license money shall be returned, unless otherwise ordered by this Board.

69. Any person guilty of an infraction of any provision of this by-law shall, upon due conviction therefor before the Police Magistrate of this city, or any Justice of the Peace having jurisdiction, be subject to the specific penalties hereinbefore provided in the case, with costs, and in cases where no specific penalties are provided the convicted person shall forfeit and pay, at the discretion of the convicting Justice, a penalty not less than two dollars nor more than fifty dollars, together with costs, and in default of the payment of any money penalty and costs ordered to be paid under any of the provisions of this by-law, the same shall be levied by distress and sale of the goods and chattels of the offender, and in case of no sufficient distress to satisfy the said penalty and costs being found, it shall be lawful to commit the offender to the Common Gaol of the County of Frontenac in this city, there to be imprisoned for any period not exceeding six months, unless the said penalty and costs be sooner paid.

70. This by-law shall come in force and take effect on its passing.

71. From the time this by-law comes in force and takes effect

all by-laws contrary to or inconsistent with this by-law and the by-law entitled "A By-law Relating to and to Provide for the Licensing of Carters and Cabmen in the City of Kingston," passed on the 8th day of March, 1893, shall be and the same are hereby repealed.

(Signed), JOHN DUFF, P.M.,
Chairman Police Commissioners.

1870

Received of the Treasurer of the
County of ... the sum of ...
for ...

Witness my hand and seal
this ... day of ...
1870

...

...

...

...

...

...

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