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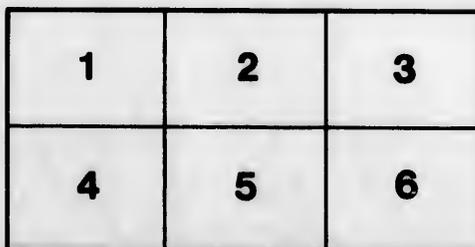
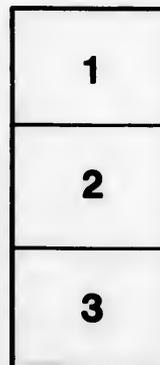
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A BY-LAW
TO
REGULATE THE PROCEEDINGS
IN THE
Municipal Council
OF THE
CORPORATION OF THE CITY OF TORONTO
AND THE
COMMITTEES THEREOF.

PASSED 26th NOVEMBER, 1869.



TORONTO:
HENRY ROWSELL.
1869.

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No. 504.

A By-law to regulate the proceedings in the Municipal Council of the Corporation of the City of Toronto and the Committees thereof.

PASSED 26TH NOVEMBER, 1869.

WHEREAS it is expedient to amend the By-law now in force, to regulate the proceedings in Municipal Council, and in Committees of the Municipal Council of the Corporation of the City of Toronto:

Therefore the Municipal Council of the Corporation of the City of Toronto, enacts as follows:

MEETINGS AND ADJOURNMENTS OF COUNCIL.

1. That in all the proceedings had or taken in the Municipal Council of the Corporation of the City of Toronto, the following rules and regulations shall be observed and shall be the rules and regulations for the order and despatch of business in the said Council, and of the Committees of the said Council, and from and after the passing of this By-law, By-law number three hundred and seventy-eight, and all former rules and regulations shall be repealed.

This By-law to govern proceedings in Council.

By-law No. 273, and all former rules repealed.

2. That the said Council shall meet every Monday in the year, at the hour of seven o'clock, 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 next following day, which shall not be such public holiday.

Meetings of the Council.

3. That unless there shall be a quorum present in half an hour after the time appointed for the meeting of Council, the Council shall then stand absolutely adjourned until the next day of meeting, and the Clerk shall, if required by two members, take down the names of the members present

If there is no quorum in half an hour after the time appointed for a meeting, the Council shall stand adjourned till the next day of meeting.

at the expiration of such half hour, and shall publish the names of the absent members in one or more of the City daily papers of the following day.

Council to adjourn at eleven o'clock.

4. That the Council shall always adjourn at the hour of eleven o'clock, P. M., if in session at that hour, unless otherwise determined by a vote of two-thirds of the members present.

Members to keep their places until the Mayor leaves the chair.

5. That the members of the Council shall not leave their places, on adjournment, until the Mayor or other Presiding Officer, leaves the chair.

ORDER OF PROCEEDINGS IN COUNCIL.

The Mayor to take the chair when a quorum is present.

6. That as soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair, and the members shall be called to order.

In the absence of the Mayor the Clerk to call the meeting to order.

7. That in case the Mayor shall not be in attendance, the Clerk shall call the meeting to order, until a Chairman shall be chosen, who shall preside until the arrival of the Mayor.

An Alderman to preside in the absence of the Mayor.

8. That in the absence of the Mayor, one of the Aldermen present shall be chosen to preside, and shall take the chair and preside during the absence of the Mayor, and at the meeting only at which he has been so chosen.

Minutes to be read by the Clerk.

9. That immediately after the Mayor or other Presiding Officer shall have taken his seat, the minutes of the preceding meeting shall be read by the Clerk, in order that any mistake therein may be corrected by the Council.

The Mayor to preserve order and decide questions of order.

10. That the Mayor or other Presiding Officer, shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.

The Mayor in deciding a point of order to state the rule applicable to the case.

11. That when the Mayor or other Presiding Officer is called on to decide a point of order or practice, he shall state the rule or authority applicable to the case without argument or comment.

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12. That the Mayor or other Presiding Officer may vote with the other members on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.
13. That if the Mayor or other Presiding Officer desire to leave the chair for the purpose of taking part in the debate, or otherwise, he shall call one of the Aldermen to fill his place until he resumes the chair.
14. That every member, previous to his speaking to any question or motion, shall rise from his seat uncovered, and shall address himself to the Mayor or other Presiding Officer.
15. That when two or more members rise at once, the Mayor or other Presiding Officer shall name the member who first rose in his place, but a motion may be made that any member who has risen "be now heard," or "do now speak."
16. That 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 a personal pecuniary profit, or such as is peculiar to that member, and not in common with the interests of the citizens at large, in which case he shall not vote.
17. That when the Mayor or other Presiding Officer is putting the question, no member shall walk across or out of the room, nor make any noise or disturbance, nor when a member is speaking, shall any other member interrupt him, except to order, nor pass between him and the chair.
18. That a member called to order shall sit down, unless permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate; if there be no appeal, the decision of the Mayor or other Presiding Officer shall be submitted to.
19. That no member shall speak disrespectfully of Her Majesty the Queen, nor of any of the Royal Family, nor of the Governor General, Lieutenant Governor, or person administering the Government of the Dominion, or of this Province, nor shall he use offensive words against the
- The Mayor may vote.
Equality of votes shall be deemed to be negative.
- If the Mayor desires to leave the chair he shall call one of the Aldermen to fill his place.
- Members speaking to address the Mayor and stand uncovered.
- Two or more members rising together to speak.
- Members present to vote unless excused or are personally interested in the question.
- When a question is being put members not to leave the room.
- Members speaking not to be interrupted.
- Calling members to order.
- Members not to speak disrespectfully of the Queen, the Royal Family, the Governor-General, or Lieutenant-Governor, or use unmanly language.

Council or against any member thereof, nor shall he speak beside the question in debate, and no member shall refer upon any vote of the Council except for the purpose of moving that such vote be rescinded.

Any member may require the motion to be read.

20. That any member may require the question or motion in discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

Members not to speak to the same question more than once, nor for more than fifteen minutes.

21. That no member shall speak more than once to the same question, without leave of the Council, except in explanation of a material part of his speech, which may have been misconceived, but then he is not to introduce another matter. A reply is allowed to a member who has made

When reply is allowed.

substantive motion to the Council, but not to any member who has moved an order of the day, an amendment to the previous question, or an instruction to a Committee; and no member, without leave of the Council, shall speak to the same question, or in reply, for longer than a quarter of an hour.

Divisions in the Council.

22. That upon a division of the Council, the names of those who vote for, and those who vote against the question shall be entered upon the minutes, not only in the case required by law, but when any two members shall call for Ayes and Nays.

Calling for ayes and nays.

Questions put to the Mayor or members of the Council.

23. That questions may be put to the Mayor or other Presiding Officer, or through him to any member of the Council relating to any bill, motion or other matter connected with the business of the Council, or the affairs of the City, but no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same; and in answering any such questions, a member is not to debate the matter to which the same refers.

When reply is allowed.

Closing the doors.

24. That when the door shall be directed to be closed, all persons, except the members and the Clerk shall retire.

ORDERS OF THE DAY.

Orders of the day.

25. That the Clerk shall have prepared and printed for the use of members, "The General Orders of the Day," containing, 1st—Reading of Minutes; 2nd—Original Com-

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communications; 3rd—Petitions; 4th—Reports of Committees; 5th—Referring Petitions and Communications; 6th—Enquiries; 7th—Giving Notice; 8th—Unfinished Business; 9th—Motions; 10th—Consideration of Bills; 11th—Consideration of Reports.

26. That the business shall, in all cases, be taken up in the order in which it stands upon "The General Orders of the Day," unless otherwise determined upon by a vote of two-thirds of the members present, and without debate thereon.

MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL.

27. That one day's notice shall be given of all motions for introducing new matter other than matters of privilege and bringing up petitions; and no motion shall be discussed, unless such notice has been given, or the Council dispense with such notice by a vote of two-thirds of the members present, without debate.

28. That all motions shall be in writing and seconded before being debated or put from the chair. When a motion is seconded, it shall be read by the Mayor or other Presiding Officer, before debate.

29. That after a motion is read by the Mayor or other Presiding Officer, 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.

30. That a motion for commitment, until it is decided, shall preclude all amendment of the main question.

31. That a motion to adjourn shall always be in order, but no second motion to the same effect shall be made, until after some intermediate proceeding shall have been had.

32. When a question is under debate, no motion shall be received, unless,—to commit it; to amend it; to lay on the table; to postpone it; to adjourn; to move the previous question.

The previous question.

33. That the previous question, until it is decided, shall preclude all amendment of the main question, and shall be put without debate in the following words, "That this question be now put," and if this motion be resolved in the affirmative, the original question is to be put forthwith without any amendment or debate.

Amendments, how to be put.

34. That all amendments shall be put in the reverse order in which they are moved, except in filling up blanks when the longest time and the largest sum shall be put first; and every amendment submitted shall be reduced to writing, and be decided upon or withdrawn before the main question is put to vote. That all motions for the

Motion for appointments to office.

appointment of any member of the Council, or of any other person, to any office in the gift of the Council, shall preclude any amendments. Only one amendment shall be allowed to an amendment, and any amendment more than one, must be to the main question.

Only one amendment to be allowed to an amendment.

Questions containing more than one proposition.

35. That when the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.

Putting the question finally.

36. That after any question is finally put by the Mayor or other Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result is declared; and the decision of the Mayor, or other Presiding Officer, as to whether the question has been finally put, shall be conclusive.

Motions contrary to the rules and privileges of the Council.

37. That whenever the Mayor, or other Presiding Officer is of opinion that a motion offered to the Council is contrary to the rules and privileges of the Council, he shall apprise the members thereof immediately, before putting the question thereon, and quote the rule or authority applicable to the case, without argument or comment.

Members to take their places when a division is called for.

38. That members shall always take their places when any division is called for.

ORDER OF PROCEEDINGS IN COMMITTEE OF THE WHOLE.

Order on going into Committee of the whole.

39. That whenever it shall be moved and carried that the Council go into a Committee of the whole, the Mayor

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on, and shall appoint a Chairman of Committee of the whole, who shall
ords, "That thimaintain order in the Committee and who shall report the
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40. That no bill or report of a Committee shall be dis-
cussed in Committee of the whole, unless such bill or report
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n shall be ptwo-thirds of the members present, without debate.
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Bills or reports
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whole, until
printed.

41. That the rules of the Council shall be observed in
Committee of the whole, so far as may be applicable,
except that no motion shall require to be seconded, nor
shall a motion for the previous question, or for an adjourn-
ment be allowed, and in taking the Ayes and Nays the
names of members shall not be recorded, nor shall the
number of times of speaking on any question be limited.

Rules of Council
to be observed in
Committee of the
whole.

Exceptions.

42. That questions of order arising in Committee of
the whole, shall be decided by the Chairman subject to an
appeal to the Council, and if any sudden disorder should
arise in the Committee, the Mayor or other Presiding Officer,
will resume the chair without any question being put.

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order in Com-
mittee of the
whole.

43. That on motion in Committee of the whole to rise
and report, the question shall be decided without debate.

Motion to rise
and report.

44. That a motion in Committee of the whole to rise
without reporting, or that the Chairman leave the chair,
shall always be in order and shall take precedence of any
other motion. On such motion debate shall be allowed, and
on an affirmative vote, the subject referred to the Com-
mittee shall be considered as disposed of in the negative,
and the Mayor, or other Presiding Officer, shall resume the
chair, and proceed with the next order of business.

Motion to rise
without report-
ing, or that the
Chairman leave
the chair.

READING OF BILLS AND PROCEEDINGS THEREON.

45. That when a bill is read in the Council, the Clerk
shall certify the readings, and the time, on the back thereof.
After bills have passed he shall be responsible for their
correctness, should they be amended.

Clerk to certify
the readings on
bills, and be re-
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their correctness.

Reading of Bills.

46. That the question, "That this bill be now read a first time," shall be decided without amendment or debate; and every bill shall be read twice before it is committed to the engrossed, and read a third time before it is signed by the Mayor.

Manner of introducing and reading Bills in the Council.

47. That every bill shall be introduced upon motion leave, specifying the title of the bill, or upon motion to appoint a Committee to prepare and bring it in; and each bill shall receive three several readings, and on different days previous to its being passed, except in urgent and extraordinary occasions and upon a vote of two-thirds of the members present, when it may be read twice or thrice or advanced two or more stages in one day.

Bills for the appropriation of money on reports of the Committee of the whole.

48. That any bill for the appropriation of money, brought in on the report of a Committee of the whole, shall pass through all its stages without being again referred to the Committee of the whole, unless upon special motion in writing.

Proceedings upon bills in Committee of the whole.

49. That in proceedings in Committee of the whole upon bills, every clause shall be considered in its proper order and the preamble shall be next considered, and then the title

Reporting bills with amendments.

50. That all amendments made in Committee of the whole shall be reported by the Chairman to the Council who shall receive the same forthwith. After report, the bill shall be open to debate and amendment before it is

Reading bills a third time.

ordered for a third reading. When a bill is reported without amendment, it is forthwith ordered to be read a third time, at such time as may be appointed by the Council.

Reporting bills without amendments.

By-laws to be printed and bound up as a supplement to the minutes.

51. That all By-laws after having been printed, and finally adopted by the Council, shall be pagged and bound up as a supplement to the minutes of the Council for the year in which they are passed, and shall have a separate index prepared for the same.

PETITIONS AND COMMUNICATIONS.

Requisites of petitions or communications to the Council.

52. That every petition, remonstrance, or other written application intended to be presented to the Council must be fairly written or printed on paper or parchment, and

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53. That every petition, remonstrance, or other written application may be presented to the Council by any member thereof, not signing or being a party to the same, on any day, but not later than the hour at which the Common Council convene, except on extraordinary occasions; and every member presenting any petition, remonstrance, or other written application to the Council, shall examine the same, and shall be answerable that they do not contain any impertinent or improper matter, and that the same is respectful and temperate in its language; he shall also endorse thereon the name of the applicant and the substance of such application, and sign his name thereto, which endorsement only shall be read by the Mayor or other Presiding Officer, unless a member shall require the reading of the paper, in which case the whole shall be read.

Presentation of petitions or communications.

Members presenting petitions, &c. to be answerable for their contents.

Petitions to be endorsed.

54. That 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 other Presiding Officer, to the proper Committee, without any motion; and no member shall speak upon, nor shall any debate be allowed on the presentation of any petition or other communication to the Council; but any member may move that in referring said petition or other communication, certain instructions may be given by the Council, or that the said petition or communication be referred to a Select Committee, and if the petition or communication complain of some present personal grievance, requiring an immediate remedy, the matter contained therein may be brought into immediate discussion, and disposed of forthwith.

Referring petitions or communications.

Debate not allowed on the presentation of petitions or communications,

unless they complain of a present personal grievance.

55. That any member may move to take up or refer any communication or petition made or presented to the Council during the year in which such motion is made, or during the year next preceding such year, and whether such communication or petition has been referred to a Committee and reported upon or not; but no motion shall be in order to take up or refer a communication or petition made or presented at any time before the commencement of the year next preceding such motion.

Petitions of the previous year may be referred.

APPOINTMENT AND ORGANIZATION OF COMMITTEES.

Appointment of Standing or Select Committees.

The Mayor to be, *ex-officio*, a member of all Committees.

Members introducing bills, &c., which are referred to a Select Committee, to be members of such Committee.

Majority of members of Committee to form a quorum.

Standing Committees of the Council.

56. That all Standing or Select Committees shall be appointed on motion of a member by consent of a majority of the Council, and any member of the Council may be placed on a Committee, notwithstanding the absence of such member at the time of his being named upon such Committee; and the Mayor shall be *ex-officio*, a member of all Committees, and no Committee shall consist of more than eight members without the consent of the Council.

57. That every member who shall introduce a bill, 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, unless otherwise determines, be the Chairman of such Committee.

58. That of the number of members appointed to compose any Standing or Select Committee, such number thereof as shall be equal to a majority of the whole number chosen, exclusive of any *ex-officio* member, shall be a quorum competent to proceed to business.

59. That there shall be annually appointed, at the first or second meeting of each newly elected Council, the following Committees which shall compose the Standing Committees of the Council :

- (1) The Standing Committee on Finance and Assessment
- (2) The Standing Committee to be designated "The Board of Works."
- (3) The Standing Committee on Wharves and Harbours.
- (4) The Standing Committee on Public Walks and Gardens.
- (5) The Standing Committee on Public Markets.
- (6) The Standing Committee on Fire, Water and Gas.
- (7) The Standing Committee on Public Buildings.
- (8) The Standing Committee to be designated "The Board of Jail Inspectors."
- (9) The Standing Committee on Licenses.

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60. That each Standing Committee of the Council shall consist of such members of the Council, not exceeding one member from each Ward, as the Council may elect at its first or second meeting as aforesaid.
61. That the members of each Standing Committee of the Council shall meet at the City Hall for the purpose of organization, within three days after that on which they are appointed, at such hours as the Mayor may direct, or in the default of the Mayor naming such hours, then the City Clerk shall appoint the hours for such meetings.
62. That the members of each Standing Committee of the Council shall at their first meeting proceed to elect from among themselves a Chairman; and immediately after such Chairman has been elected, the days of the future regular meetings of each Standing Committee shall be determined by the members thereof, and also the hour at which each of such meetings shall be held.
63. That the regular meetings of the Standing Committees on Finance and Assessment, and of "The Board of Works," so determined, shall be held once in each week, and by each of the other Standing Committees as often as may then be determined upon, but all such meetings shall be at regular stated intervals, and not less than once in each month.
64. That special meetings of Standing Committees may be called by the Chairman whenever he shall consider it necessary to do so; and it shall be the duty of the Chairman, or in his absence from the City, it shall be the duty of the Clerk of the Council to summon a special meeting of a Committee whenever requested in writing to do so by a majority of the members composing it.
65. That members of the Council may attend the meetings of any of its Committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the Committee.

Composition of the Standing Committees.
 First meetings of the Standing Committees.
 Election of Chairmen of Standing Committees.
 Days of meeting.
 Regular meetings of Standing Committees.
 Special meetings of Committees, how to be called.
 Members of the Council may attend meetings of Committees.
 Rules for Committees.

DUTIES AND ORDER OF BUSINESS OF COMMITTEES.

66. That the business of the respective Standing and Select Committees shall be conducted under the following regulations:

- Chairman to preside and vote. (1) The Chairman shall preside at every meeting, and shall vote on all questions submitted, and in case of an equal division, the question shall be passed in the negative.
- Chairman to sign all documents. (2) He shall sign all such orders and documents as the Committee may legally order.
- In the absence of the Chairman another member shall preside. (3) In his absence one of the other members shall be elected to preside, who shall discharge the duties of the Chairman for the meeting until the arrival of the Chairman.
- Minutes of Committees. (4) The minutes of all the transactions of every Committee shall be accurately entered in a book to be provided for that purpose, and at each meeting the minutes of the preceding meeting shall be submitted for confirmation or amendment, and after they have received the approval of a majority of the members present, they shall be signed by the Chairman.
- Minutes of previous meetings to be confirmed. (5) There shall be entered on the minute book of each Committee all reports ordered to be submitted to the Council, all orders that may be passed, and all accounts that may be audited, with a reference to the By-law or Resolution of the Council, under which such audit is made, together with such other matters as the Committee shall consider essential to a correct exhibition of its proceedings.
- Reports, &c., to be entered on the minutes. (6) Each minute so recorded shall have attached to it a progressive number for reference, and an analytical index shall be kept for each minute book.
- Minutes to have progressive numbers and to be indexed. (7) When a division takes place on any question, the votes of the members shall be recorded, if required by one of the members.
- Recording divisions. (8) No order or authority to do any matter or thing shall be recognized as emanating from any Committee unless it is in writing, nor unless it is signed by the Chairman or acting Chairman, and refers to the minute of the Board under which it is issued.
- Orders to be signed by the Chairman and are to refer to the minutes of the Committee.

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67. That the general duties of all the Standing and select Committees of the Council shall be as follows :

General duties of Committees.

- (1) To report to the Council from time to time, whenever desired by the Council, and as often as the interests of the City may require, on all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary. To report to the Council on all matters connected with the duties imposed on them.
- (2) To prepare and introduce into the Council all such By-laws as may be necessary to give effect to the reports or recommendations of the respective Committees that are adopted by the Council. To prepare By-laws.
- (3) To give effect, by the instrumentality of the proper Officer or Officers, to all By-laws and Resolutions of the Council that relate to the duties of the respective Committees. To give effect to By-laws and Resolutions of the Council.
- (4) To audit all accounts connected with the discharge of the duties imposed by the Council, or with the performance of any works, or the purchase of any material or goods under the supervision of the respective Committees. To audit accounts.
- (5) To consider and report respectively on any and all matters referred to them by the Council, the Chairman signing such report and bringing up the same. To report on matters referred to them by the Council.
- (6) To adhere strictly, in the transaction of all business, to the rules prescribed by the respective By-Laws of the Council. To adhere to the rules prescribed by the By-laws.
- (7) To present to the Council, on or before the last regular meeting of the Council in each and every year, for the information of the Council, and of the inhabitants generally, as well as for the guidance of the Committees of the following year, a general report of the state of the various matters referred to the Committee from time to time during the year, the work or business done through or by such Committee, and the expenditure made under their authority or superin-

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tendance ; such report shall also state the number of meetings the Committee held during the year, and the number of meetings duly called, but at which there was no quorum, and how often each member was absent from the latter meetings ; and shall contain such suggestions in regard to the future action of the succeeding Committee, as experience may enable the reporting Committee to make in respect of the matters embraced in the report.

To see that Corporation Officers give security.

- (8) To see that the persons in office, or appointed to office, connected with the department of each respective Committee, has given, or does give, the necessary security required of them for the performance of their duties, and in the case of any new appointment, that the security is given before any such person enters upon his duties.

Duties of the Committee on Finance and Assessment.

68. That in addition to the duties prescribed by law or by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, the duties specially imposed on "The Standing Committee on Finance and Assessment," shall be as follows :

To make an annual report to the Council on Finance and Assessment.

- (1) To present to the Council, on or before the last Monday in April in each year, a full and particular exhibit of the financial affairs of the City at the termination of the preceding financial year, together with an estimate of the amount required to be raised by assessment during the current year.

To recommend the names of the Assessors.

- (2) To recommend for appointment by the Council, on or before the first Monday in February in each year, the names of such number of fit and proper persons to be Assessors, as may be necessary for the performance of that duty, such nominees having previously undergone an examination in the presence of the said Committee and considered by the Committee to be duly qualified to perform the duties of Assessors before being so recommended.

Assessors to be examined as to their qualification.

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- the number (3) To recommend for appointment by the Council, on or before the first Monday in July, in each year, the names of such number of fit and proper persons to be Collectors of Taxes, as may be necessary for the performance of that duty, subject to the same conditions as Assessors, in regard to previous examination. To recommend the names of the Collectors.
- Committee (4) To report to the Council, on or before the first Monday in June, in each year, as to the manner in which the revenue required for the current year should be raised. To report how the revenue for the current year should be raised.
- of each respect (5) To consider and report, as often as may be necessary, on the management of all matters connected with railway stock, bonds, or other securities held by the Corporation. To report on the management of securities held by the Corporation.
- (6) To consider and report on all affairs connected with the leasing or selling of City property. To report on the selling or leasing of City property.
- (7) To have the special supervision of the books of account, documents and vouchers, and of all moneys, debentures and securities, in the Chamberlain's office, and shall also have the supervision of the Chamberlain, and of all Officers in his department under him. To have the supervision of the Chamberlain's department.
- (8) To advise the Chamberlain, when called upon to do so, in all matters pertaining to his office. To advise the Chamberlain.
- (9) To see that all duties and services which ought to be performed by the Chamberlain and the Officers in his department, are fully executed. To see that the Chamberlain and his Officers perform their duty.
- (10) To forbid the signing or delivery of any cheques, or of any security, or the payment of any money by the Chamberlain, if they shall think it expedient so to do, until the matter can be further considered, or can be referred to the Council. To forbid the payment of moneys, &c., under certain circumstances.
- (11) To regulate all matters connected with the receipt and payment of money, and to order the adoption of such regulations in connection therewith as may be To regulate the receipt and payment of moneys and manage the financial affairs of the City.

deemed necessary for the prevention of any payment⁽⁵⁾ To g
being made in contravention of the By-laws, n to th
generally to manage the financial affairs of the Ci 70. Th

Stationery.
Advertisements.
Printing.

- (12) To direct the purchase of stationery, the adverti by the si
ment of City notices, and the performance of printi By-law o
and to report thereon to the Council. n the S
hall be :

Duties of the
Board of Works.

69. That in addition to the duties prescribed by l (1) To
or by the sixty-seventh section of this By-law, or by a wha
other By-law of the City of Toronto, either prescrib the
duties to the Board of Works, or to a former Commit
of the Council called the "Board of Health"; the dut (2) To
especially imposed on the Standing Committee of "T
Board of Works" shall be as follows :

To report on
matters connect
ed with sewers,
streets, &c.,

- (1) To consider and report on all matters relating to sewe
drains, streets, lanes, alleys, public thoroughfares a
their maintenance against encroachments, sidewalk wor
fences, surveys, lands, the employment of labour, a the
purchase of material for all the purposes connect
with such matters.

the employment
of labour,
the purchase of
material.

To recommend
regulations for
the control of pri
vate buildings,
&c., as may be
requisite for the
public safety.

- (2) To report and recommend to the Council such regul By-law o
lations for the control of private buildings, drains on the S
fences, as may be requisite for the public safety shall be
welfare, and in accordance with the Legislative ena (1) To
ments.

To report on all
works of perman
ent improve
ment to be car
ried out during
the ensuing year.

- (3) To report to the Council, in their final report
each year, on all works of permanent improvement
connection with the City property above enumerated
as it may be considered essential to the welfare an (2) To
convenience of the citizens to be carried out dur
the ensuing year, together with the estimated cost
the works so recommended.

To have control
of the City Engi
neer and his Staff,
and to report to
the Council.

- (4) To direct and control the City Engineer and his Sta (3) To
in the discharge of their duties, and to report to a
Council from time to time, on all matters connect
with the duties of his department.

of any payment (6) To give effect to such orders of the Council in relation to the performance of works under other Committees. To give effect to certain orders of the Council.

70. That in addition to the duties prescribed by law, or by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, the duties especially imposed on the Standing Committee on Wharves and Harbours, shall be as follows :

(1) To manage and report on all matters connected with wharves or other property abutting on the waters of the Bay that may be owned by the Corporation. To manage and report on wharves and property abutting on the water.

(2) To manage and report, in conjunction with the "Standing Committee on Finance and Assessment," on all matters relating to the settlement of accounts for the construction of the Esplanade, and filling in of water lots, the adjustment of the amount to be charged to the respective owners of water lots in respect of said work, and the assessment therefor, in accordance with the Legislative enactment in relation thereto. To manage, with the Finance Committee, the accounts relating to the Esplanade and water lots.

71. That in addition to the duties prescribed by law, or by the sixty-seventh section of this By-law, or by any other By-law of the City of Toronto, the duties especially imposed on the Standing Committee on Public Walks and Gardens, shall be as follows :

(1) To manage and report on all matters connected with the preservation of all grounds set apart for Public Parks, Squares, Gardens or Walks, and all buildings erected thereon, and the prevention of encroachments on such properties. To manage and report on matters connected with the public parks, squares, &c.

(2) To report on all matters connected with fencing, ornamenting and preserving the Parks, Squares, Gardens, or Walks, as aforesaid, and to carry out all such works connected therewith, as the Council may authorize. To report on fencing and preserving the parks, &c.

(3) To consider and report in conjunction with the "Standing Committee on Finance and Assessment," on all matters connected with the sale or disposal of the lands deeded to the City of Toronto by the Trustees To consider and report with the Finance Committee on the disposal of the public walks and gardens property.

named in a certain patent from the Crown, dated the 10th day of August, 1848, and which patents are commonly known as Public Walks and Gardens, and to manage and direct the disposal of the funds accruing from such sales, in such manner as may be consistent with the Acts of the Legislature in that behalf, and most conducive to the interests of the City.

Duties of the
Committee on
Public Markets.

72. That in addition to the duties prescribed by law or by the sixty-seventh section of this By-law, or by any By-law of the City of Toronto, the duties especially imposed on the Standing Committee on Public Markets shall be as follows :

To manage and
report on all
affairs relating to
markets, &c.

(1) To manage and report on all affairs relating to the regulation of the Public Markets, Weigh-houses, Inspection of Weights and Measures, the prevention of forestalling or regrating, the regulating of the assize of bread, the dealings of hucksters, the cleaning of markets, the prevention of the sale of tainted or unwholesome food.

To report on the
levying of mar-
ket fees, &c.

(2) To report on the levying and collecting of Market dues or tolls, and Weigh-house fees, and rental of stalls.

To report and
carry out works
for the mainte-
nance of the mar-
kets, &c.

(3) To report on all works that may be required for the maintenance of Markets, Market-houses and Fences, and to carry out all such works in connection therewith as the Council may authorize.

Duties of the
Committee on
Fire, Water and
Gas.

73. That in addition to the duties prescribed by law, or by the sixty-seventh section of this By-law, or by any By-law of the City of Toronto, the duties especially imposed on the "Standing Committee on Fire, Water and Gas," shall be as follows :

To manage and
report on mat-
ters relating to
the Fire Brigade.

(1) To manage and report on the organization of the Fire Brigade, the supply and maintenance of the engines, horses, hose, hose carts, and all other apparatus connected therewith, and to see that the same are kept in good order, repair and efficiency.

- rown, dated) To appoint the members of the Fire Brigade. To appoint the members in the Fire Brigade.
- , and which lan) To report on the Lighting of the City, on the erection To report on the lighting of the City.
- ks and Garden) of gas or oil lamps, and the inspection thereof, and
- posal of the fun) the inspection of gas metres.
- anner as may)
- gislature in the) To enquire into and report on the supply of Water, To report on the supply of water, the erection of tanks, hydrants and fire-plugs.
- interests of t) and the erection and maintenance of tanks, hydrants and fire-plugs.
- scribed by la) To consider and report on all matters connected with To consider and report on the fire limits and inspection of buildings.
- re-law, or by m) the establishment of fire limits, the inspection of
- ss especially in) buildings with reference thereto, and the prosecution
- lic Markets sha) of offenders against such regulations as may be
- enacted.
- s relating to th) 74. That in addition to the duties prescribed by law, Duties of the Committee on Public Buildings.
- igh-houses, b) r by the sixty-seventh section of this By-law, or by any
- e prevention) ther By-law of the City of Toronto, the duties especially
- g of the assize) imposed on the "Standing Committee on Public Buildings,"
- the cleaning) shall be as follows :
- of tainted)
- (1) To manage and report on all matters connected with To manage and report on matters connected with the public buildings.
- the management, erection and repairs of public build- ings, except those that are under the supervision of the Standing Committee on Public Walks and Gardens.
- ing of Mark)
- and rental)
- quired for th) (2) To report and recommend to the Council such regula- To report on alterations and to carry out the works authorized by the Council.
- es and Fence) tions and alterations as may from time to time be
- unction ther) deemed necessary and expedient, and to carry out such
- works in connec) tion therewith as the Council may
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75. That to enable the Standing Committee on Finance Duties of the Chamberlain.
- and Assessment to discharge the duties hereby imposed on it, the Chamberlain, by himself, or his Deputy, shall, in addition to those duties prescribed by law, or by any By-law or Resolution of the Council, perform the following duties:

APPOINTMENT AND DUTIES OF OFFICERS OF THE CORPORATION.

CHAMBERLAIN.

To act as Secretary to the Finance Committee.

(1) To act as Secretary to the said Committee, and such, to keep a record of all minutes, orders reports: Provided always, that the said Committee from time to time, allow one of the Clerks in his to act as their Secretary.

To cause notices of the meetings of the Committee to be served.

(2) To cause a notice of each regular and special meeting to be served on each member of the said Committee at his residence or ordinary place of business, one day previous to such meeting being held.

To supply information to the Committee.

(3) To supply all information relative to the finances of the City, and to all other matters connected with office, as the said Committee may require.

To conform to the directions of the Committee.

(4) To conform to all directions of the said Committee consistent with law or the By-laws of the City.

To have charge of the City Seal.

(5) To have charge of the City Seal, and only to attach the same to any document connected with the Corporation, on the order of the Council, or of the Committee.

To have control over the Officers in his office.

(6) To have control over all Officers placed in his office subject to such orders as he may from time to time receive from the said Committee or the Council.

CITY CLERK.

Duties of the Clerk of the Council.

76. That the duties of the Clerk of the Council, in addition to those prescribed by law, or by any By-law Resolution of the Council in connection with all Standing and other Committees, shall be :

To notify members of Committees of the time and place of their first meeting.

(1) To notify each member of the respective Committees appointed under this By-law, so soon as the appointment has been made, of the time and place at which the first meeting of each Committee will be held.

To furnish members with a copy of this By-law.

(2) To furnish each of such members with a copy of this By-law at the time of serving the notice of the first meeting.

- Committee, and minutes, orders of the said Committee and Clerks in his office, and special meetings of the said Committee of business, or of any other meeting held, to the finance connected with the same, require, the said Committee of the City.
- and only to attend with the Council, or of the Council, in his office from time to time, the Council.
- the Council, by any By-law, with all Standing Committees, as the appointing place at which meetings shall be held.
- a copy of the minutes of the first
- (3) To cause a notice of each regular and special meeting of each of the Standing and other Committees, except the "Standing Committee on Finance and Assessment," and "the Board of Works," to be served on the members thereof, at their residence or ordinary place of business, on the day previous to such meeting being held. To notify members of the meetings of certain Committees.
- (4) To furnish the Chamberlain of the City, the Secretary of "the Board of Works," and the Chairman of each of the other Committees, with certified copies of all resolutions, enactments and orders of the Council relative to the matters over which the said Committees may respectively have jurisdiction, on the day next succeeding that upon which the action of the Council in respect thereof takes place. To furnish certified copies of resolutions, &c., of the Council.
- (5) To communicate or convey to the Committees all petitions or other documents referred by the Council. To communicate to the Committees matters referred to them.
- (6) To attend all meetings of the Committees, by himself or his Deputy, except the "Standing Committee on Finance and Assessment," and "the Board of Works," when required so to do by the Chairman or acting Chairman thereof, and to record the minutes, orders and requests of all such meetings in the manner hereinafter provided. To attend the meetings of certain Committees. To keep their minutes.
- (7) To have two hundred and fifty copies of each of the final reports of the several Standing Committees printed forthwith, after they shall have been submitted to the Council. To have the reports of the Committees printed.
- (8) 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. To have control over the clerks in his office.
- (9) To give notice to the members of the Council of all meetings thereof, when held on any other day than Monday; said notice to be delivered to each member, at his residence or place of business, on the day previous to that on which such meeting is to be held. To give notice of special meetings of the Council. Service of notice.

ENGINEER AND STAFF.

77. That to enable the Board of Works to give effect to the provisions of this By-law, relating to the said Committee, the Council shall appoint an Officer, to be known as City Engineer, and also a Secretary and Draughtsman, who shall hold office during the pleasure of the Council, at salaries as may be determined upon; and the duties of the said Officers shall be as follows:
- (1) To comply with such orders as the said Board of Works may legally issue, and to perform such duties as may be allotted to them by law, or by any By-law, or by any other By-law or Resolution of Council.
 - (2) It shall be the duty of the City Engineer, or person in charge of the Engineer's department to report to said Board of Works on or before the first day of December in each year, as to the improvements and repairs necessary, in his opinion, to be made by the Corporation during the next succeeding year, so far as he can anticipate the same, including in such report all matters that by this By-law are placed under the management of the said Board of Works; and also, on or before the first day of May in each year, to present a supplementary report as to any additional repairs that may not have been anticipated in his report of the preceding year, but which may subsequently appear to be required.
 - (3) To enter in a book to be kept by him for that purpose, to whom plank, lumber, stone or other materials have been delivered, or ordered by him to be delivered, and upon what contract, or otherwise the same are so delivered, designating the particular work or improvement for which the same were intended.
 - (4) To report to the said Board of Works, once in each month a full and perfect statement of the plank, timber and other materials belonging to the City, and

Appointment of a City Engineer, Secretary and Draughtsman.

Their duties.

To comply with the orders of the Board of Works, &c.

City Engineer report annually.

A record of the delivery of materials to be kept.

To report once a month on the amount of materials belonging to the City.

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5) To have the superintendence of, and be responsible for the due performance of all works done for the Corporation, and particularly (when not otherwise specially ordered by the Council) of all work connected with;—the erection and repair of public buildings; the sewerage and drainage of the City; the making, macadamizing, paving and repairing, as well as the necessary watering and otherwise cleaning of the streets.

To superintend works done for the City.

Public buildings.

Sewers.

Streets.

he said Board
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6) To decide, under the direction of the said Board of Works, on the number of mechanics and labourers from time to time required on the works and to be paid by the City; and the men shall be employed and dismissed by him under such authority.

To decide on the number of persons to be employed.

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7) To examine into or cause examination to be made into all complaints of defective sidewalks, paving, flagging or sewerage.

To examine the sidewalks, &c.

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orks; and also
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8) To see to the conservation of the public thoroughfares and their maintenance against encroachment.

To see to the public thoroughfares.

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9) To examine and certify all bills for materials and labour against the Corporation, and make the surveys and examinations necessary for the purpose.

To certify bills for materials, &c.

To make surveys, &c.

by him for
stone or oth
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10) To cause a weekly return to be made to him of all the workmen employed and materials used during the week, and of the amount and description of work done during the week.

To make a weekly return of workmen and materials.

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11) To prepare regulations in regard to the duties to be performed by the various Officers in his department, or subject to his orders; and such regulations, on being approved by the Standing Committee to whose department the same may belong, shall be entered in a

To prepare regulations for the officers in his department.

- book to be kept for the purpose : and a copy of regulations shall be hung up in a conspicuous place in his office ; and any addition to or change in regulations shall be approved, entered and exhibited from time to time in the same manner.
- To comply with the directions of the Committees of the Council. (12) To comply with any directions of the Committee of the Council, with reference to the said matters and other matters which shall fall within any authority duly given to such Committees respectively by the Council.
- To inspect, measure and receive materials used by the City in effecting improvements. (13) To inspect, measure, receive, or caused to be inspected, measured, and received, the lumber, timber, stone, and other materials belonging to or used by the City for the streets or other public improvements ; to keep a full and accurate account of the quantities and quality of the same, and from whom received, and to enter the account in a book to be kept for the purpose, designating the quantity and quality of each kind of materials, with the view of securing due care in receiving, preserving, and using the said materials belonging to or used by the City.
- To report when obstructed in his duties, or when he requires advice or instruction. (14) To report from time to time to the said Board of Works, or any other Standing Committee having charge of the management of the matter, or to the Council, as the Council may require, any obstruction he may meet with in the discharge of his duties, as well as any matter on which he may want advice or instruction.
- Secretary and Draughtsman to give notice of the meetings of the Board. (15) It shall be the duty of the Secretary and Draughtsman to cause a notice of each regular and special meeting to be served on each member of the Board of Works, at his residence or ordinary place of business, on the day preceding that on which such meeting is to be held ; he shall also keep the records of the said Board of Works in accordance with the provisions of this By-law.
- To keep records of the Board. (16) To have control of all assistants employed in his office.
- To have control of assistants employed in his office. (16) To have control of all assistants employed in his office, subject to such orders as he may, from time to time, receive from the said Board of Works.

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78. That no assistance in addition to the above Officers shall be employed in the City Engineer's Office, unless the necessity for such additional assistance, and the cause thereof, shall have been first reported to the Council; but at any time there should arise an urgent necessity for employing additional assistance, in default whereof the interests of the City might suffer, then the said Board of Works may order such addition to the staff as may be necessary until the matter can be brought before the Council, and action had thereon: Provided always, that the employment of such additional assistance, with the full particulars of the occasion therefor, shall be reported to the Council at its next meeting.

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79. That every certificate given by the City Engineer, person in charge of the City Engineer's Department, of the accuracy of any account against the Corporation, shall be prepared in duplicate, and one part shall be delivered of each kindy him to the Chamberlain, before or at the same time that the other part is delivered to the person entitled to receive the said matc

Certificates of the
accuracy of ac-
counts to be in
duplicate.

ASSESSORS, COLLECTORS, AND OTHER OFFICERS OF THE CORPORATION.

80. That the Collectors' Rolls are to be ready for the Collectors on or before the first day of August in each year; and if the press of business makes this impossible for the City Clerk and his assistants, the Standing Committee on Finance and Draught Assessment shall obtain for the Clerk such further and temporary assistance as may be necessary, and shall forthwith report to the Council what they do in this respect, with their reasons therefor.

Collectors' Rolls
to be ready by the
first of August in
each year.

81. That in addition to the duties prescribed by law, or by any By-law or Resolution of the Council, every Collector, and every Officer of the Corporation (other than the Chamberlain) whose office occasions his receiving or collecting money for the Corporation, shall, unless otherwise directed by By-law or Resolution of the Council, pay to the Chamberlain, on the Saturday of every week, all his collections

Moneys received
by the Officers of
the Corporation,
how and when to
be paid over.

up to that date; and shall, at the same time, deliver to the Chamberlain a declaration signed by such Collector or other Officer as aforesaid, and to the effect that the amount so paid is all that he has received up to the time of making such payment, and the Chamberlain or Standing Committee on Finance and Assessment, may require a declaration in any case, to be sworn before the Mayor.

Chamberlain to report defaulters.

82. That the Chamberlain shall, from time to time, report to the Council all Collectors or other Officers who default in complying with the requirements of the preceding section of this By-law, with the particulars of such default.

MONEY APPROPRIATIONS, ACCOUNTS, EXPENDITURES, CONTRACTS AND IMPROVEMENTS.

Money appropriations.

83. That all appropriations of money shall be submitted to a Committee of the whole before being taken up by the full Council.

Committees, Members, or Officers of the Corporation not to make contracts without the sanction of the Council.

84. That no Committee, or Member of the Council, and no Officer of the Corporation, shall on behalf of the Corporation, enter into a contract, or incur or authorize an expenditure, without having obtained, by By-law or Resolution, the previous authority or sanction of the Council.

Contracts or expenditures requiring the sanction of the rate-payers not to be authorized until the By-law is passed.

85. That no contract or expenditure shall be authorized or permitted in contemplation of a loan, whereby a debt is incurred requiring the approval of the rate-payers, until after the By-law for such loan or debt has been duly passed and has been approved of by the rate-payers according to law.

Resolutions or By-laws authorizing expenditure of money not to be passed until means are provided.

86. That no Resolution or By-law authorizing, or purporting to authorize, the expenditure of money, shall be passed by the Council, or acted upon by any Committee or Officer of the Corporation, unless either adequate means of meeting such expenditure are at the same time provided by the By-law or Resolution, or sufficient unappropriated money is in hand, or will become payable to the Corporation before the thirty-first day of December in the same

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time, deliver to ear, nor unless the fact of such adequacy or sufficiency such Collector appears from a certificate of the Chamberlain or a Report ect that the Standing Committee on Finance and Assessment the time of making presented before, or at the time, the By-law or Resolution or Standing C passed: Provided always, that in all cases where a may require By-law or Resolution of Council provides for the issuing of ore the Mayor. ebentures for the purpose of raising the ways and means f meeting the expenditure thereby contemplated, the same time to time, rebal, nevertheless, he passed by the Council, although Officers who here shall not be a report of the Standing Committee on ents of the pre finance and Assessment, or a certificate of the Chamber-particulars of ain, that there are funds on hand for the purpose.

Proviso: when By-laws provide for the issue of debentures for raising the ways and means of meeting the expenditure.

EXPENDITURES
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 shall be submit
 being taken in

87. That when such By-law is passed, the debentures to be issued thereon may be issued and negotiated, and the funds be received thereon or therefor; and whenever such funds are received by the Chamberlain, the Standing Committee on Finance and Assessment shall then report, or the Chamberlain shall then certify to the Council the amount of such funds on hand and the purposes to which the same are dedicated.

Debentures negotiated to be reported.

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88. That after such report or certificate of funds to the Council, the work intended to be done, or the debt intended to be paid, or the purchase intended to be made, or other, the purpose or expenditure contemplated, may then, but not until then, be proceeded with.

When expenditure may be proceeded with.

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89. That no work or improvement shall hereafter be authorized by the Council, without either having an estimate of the probable cost thereof, or (in the absence of an estimate.) limiting an amount therefor; and no contract shall be entered into for such work or improvement at a larger sum, or involving a larger expenditure, than the amount so estimated or limited, and if such amount is found insufficient the fact is to be reported to the Council before the work is commenced or contracted for.

Works or improvements not to be authorized without an estimate.

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90. That when money is hereafter duly authorized to be expended for any purpose, the amount to be expended is not to be credited by the Chamberlain to any Committee, but he is to credit the same to an account to be opened, for the object for which the money is voted; and

Insufficient estimates to be reported to the Council.

Chamberlain to keep separate accounts.

he shall at the same time charge the amount against the fund out of which the same is to be paid, so as to shew how much of such fund is from time to time appropriated; he shall afterwards charge against the account which is to receive the credit the sums from time to time of the amount so voted.

Excess of appropriation to be carried to an account for unappropriated moneys.

91. That in case money appropriated to any particular purpose exceeds the amount which such purpose is afterwards found to require, the Chamberlain shall carry surplus to the credit of an account to be opened in books for unappropriated money.

Moneys voted for one purpose not to be applied to another.

92. That no money hereafter voted or raised for any purpose shall be applied to any other purpose, without expressly rescinding or repealing the Resolution or By-law by which under which the same was voted or raised, so far as such Resolution or By-law stated the purpose.

Reports to contain reasons for expenditure.

93. That for the purpose of better securing to the Council full and accurate information before being called upon to authorize the expenditure of City money, every person recommending an expenditure of money shall state the reasons and grounds on which the recommendation is made and shall, as far as practicable, state the same with sufficientness to enable others to judge of the propriety of the proposed expenditure.

City Engineer to report on certain proposed expenditures.

94. That for the same purpose, in case the expenditure for any work or improvement the superintendence of which if authorized, would fall within the duty of the City Engineer, or some other Superior Officer of the Corporation, the Committee shall first procure a report from such Engineer, or other Officer, on the subject of the proposed expenditure, and how far the same is in his opinion necessary or expedient with reference to such of the general interests and requirements of the City as fall within the department of such Officer, with his reasons at large.

Reports recommending expenditure unaccompanied by report of proper Officer.

95. That no report of a Committee recommending an expenditure that should fall under the preceding section of this By-law shall be received by the Council, unaccompanied by a report of the proper Officer.

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amount against the report of the proper Officer, save in a case of emergency, to be fully shewn in the report of the Committee, and assented to by a vote of two-thirds of the members of the Council present.

96. That no Resolution authorizing any expenditure for any of the purposes embraced in the ninety-fourth section of this By-law shall be entertained by the Council, without a report having been first obtained from the proper Officer.

Resolutions authorizing expenditure not to be entertained without the report of the proper Officer.

97. That when any Committee recommends, or any member of the Council proposes to the Council, the making of any improvement, or the expending of any money, or or in respect of property of any kind, it shall be the duty of such Committee, or of the Members introducing the proposal, as the case may be, to ascertain, as far as practicable, whether such improvement passes through or along any property in which any Member of the Council or Officer of the Corporation is interested, or whether any such Member or Officer is interested in the property for or in respect of which the money is proposed to be expended, and to state to the Council how the facts are in those respects, so far as ascertainable. This, in the case of a Committee, shall be done in the report containing their recommendation, and except in a case of emergency, and then with the sanction of two-thirds of those present, no action shall be taken or permitted upon any such report or proposal, until information of the matters referred to in this section is laid before the Council.

Improvements in which members of the Council are interested.

98. That with the view of preventing Members and Officers of the Corporation from being interested in Corporation contracts, it is hereby expressly declared that no Member of the Council, and no Officer of the Corporation, shall be interested in a private capacity, directly or indirectly, in any contract or agreement for labour, or for any materials, goods, wares, or merchandize furnished to the City, wherein the City is a party interested.

Members and Officers of the Corporation not to be interested in contracts.

99. That any breach of the duty imposed by the preceding section of this By-law, on the part of any Officer of the Corporation, shall subject him to forfeiture of his office and immediate removal therefrom.

Officers of the Corporation to forfeit their office if interested in contracts.

Accounts or contracts in which Members or Officers of the Corporation are interested, not to be certified to or paid.

100. That no account or claim against the City, arising of or connected with any contract, agreement, purchase, sale, made contrary to section ninety-eight of this By-law shall be certified by any Engineer or other Officer of Corporation, or approved by any Committee, or the Chairman thereof, or paid by the Chamberlain.

Clause to be inserted in contracts that no Member or Officer of the Corporation has any interest therein.

101. That every contract shall contain a clause declaring that the contract is entered into on the part of the Corporation in full faith, that no Member of the Council and Officer of the Corporation has any interest whatever therein and further declaring that the persons contracting, and their representatives, are to forfeit all claims under the contract and for all work done, or materials, goods, wares or merchandize furnished under it, if it shall appear that any Member of the Council or Officer of the Corporation is at the time interested therein, or if any interest therein is afterwards given or agreed to be given to him, and providing that no payment is to be required without the declaration being delivered at the time of requiring the same hereinafter provided.

Accounts for work done and materials provided to the Corporation to be accompanied by a declaration that Members and Officers of the Corporation are not interested therein.

102. That every account for work done, or materials, goods, wares or merchandize, furnished for the Corporation shall be accompanied by a written or printed declaration signed by the person claiming the same, and under his signature, to the effect that no Member of the Council or Officer of the Corporation is in a private capacity, directly or indirectly interested in such account, or in any part of the work or materials mentioned therein, or of the money there claimed. If in consequence of the person, or one or more of the persons claiming, being absent, or for any sufficient cause, the required declaration cannot be obtained, the Standing Committee on Finance and Assessment may, in lieu thereof, receive such other evidence of the facts to be so declared as may be satisfactory, and shall in such case report what they do, for the information of the Council. The Committee to whose department the account relates, or the Standing Committee on Finance and Assessment, may, if they see fit, require the declaration in such case, to be sworn to before the Mayor.

Declaration may be required to be under oath.

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103. That no plank, stone, timber, or other materials
 belonging to the Corporation shall be delivered to or used
 by any person, nor shall any person (other than the City Engi-
 neer) take or use any plank, stone, timber, or other materials
 on account of the Corporation, unless he shall first make a
 requisition in writing to the said material so required,
 signing particularly the kind, quality and quantity of
 the said material, and the work for which the same is re-
 quired; and should the material so required be on hand or
 contracted for delivery, and the person applying therefor
 be entitled thereto for the work in question, it shall be the
 duty of the City Engineer or person in charge of the City
 Engineer's department, to deliver such material to such
 person, or give him an order therefor, as the case may be,
 and take his receipt therefor.

Materials belong-
 ing to the Corpo-
 ration not to be
 delivered without
 a requisition.

City Engineer to
 deliver materials
 to persons enti-
 tled thereto and
 take a receipt.

104. That as to the watering of the streets, if a majority
 in number and value of the rate-payers on any street, or on
 any part of a street, clearly defined between cross streets,
 desire that the watering thereof should be superintended
 by one of themselves, or by some other person without
 salary therefor, and in place of the City Engineer,
 a person in charge of the City Engineer's department,
 they may appoint a person accordingly, subject to the
 approval of the Board of Works, and on communicating
 the appointment to the Council, the said City Engineer,
 or person in charge of the City Engineer's department,
 shall be relieved from the duty so far as regards the
 locality in question.

Watering streets
 where rate-payers
 desire it should
 be superintended
 by themselves.

105. That no contractor or other person engaged on any
 work for the City, shall be paid the compensation allowed
 him (unless otherwise provided for) by his contract, or any
 part thereof, unless at the time of paying the same, he
 shall present to the Chamberlain a certificate from the
 City Engineer, or person in charge of the City Engi-
 neer's department, stating that he had examined, measured, and
 computed the work, and that the same was completed,
 or that the payment demanded was due on such work;
 and also stating what the work was on which such money
 was due.

Contractors to
 give a certificate
 of the work com-
 pleted before re-
 ceiving payment.

Accounts, how to be certified.

106. That with the view of further carrying out the various objects embraced in this By-law, every account being paid shall be certified, firstly by the City Engineer or other Superior Officer under whose superintendence the work was done or material provided, and secondly by the Committee (if any,) under whose authority contract or expenditure was made; this latter certificate being given by, or by order of such Committee, by a majority thereof, and signed by the members or by the Chairman in their presence; and such certificate shall also refer in some distinct manner to the By-law or Resolution of the Council by or under which the expenditure was authorized.

Accounts not to be paid without certificate and declaration.

107. That the Chamberlain shall pay no such account unless the same is given to him with the said two certificates and also with the declaration hereinbefore mentioned, or order of the Standing Committee on Finance and Assessment in lieu of such declaration, nor unless the same is duly authorized by the Council according to the provisions of this By-law; and when the payment is by cheque, the cheque shall mention the By-law or Resolution which authorizes the payment to be made.

Payment by cheque.

Certificates to be withheld if it is believed any Member or Officer of the Council is interested in the account.

108. That in case the Committee has reason to believe that any Member of the Council, or Officer of the Corporation is interested in any account presented for the approval of such Committee, it shall be the duty of such Committee to withhold a certificate, and to give the party interested and supposed to be interested in the account an opportunity of disproving the supposed interest; if they fail to do so to the satisfaction of such Committee, it shall be the duty of the Committee to report the same forthwith to the Council.

Chamberlain to provide forms.

109. That the Chamberlain, for the convenience of the parties, shall provide printed forms for the necessary certificates and declaration, such forms being subject to the approval of the Standing Committee on Finance and Assessment.

110. That no money shall be paid to any Member of the Council, or to any Officer of the Corporation, as agent or attorney for any contractor, or in any manner on behalf of a contractor.

Moneys not to be paid to Members or Officers of the Corporation on behalf of contractors.

111. That no Member of the Council shall have power to direct or interfere with the performance of any work for the Corporation, and the Officer in charge shall be subject only to his superior officer (if any) and to the Council, or to any Committee (while acting in that capacity, and not otherwise), to which the Council may in any case give authority that behalf.

Members of the Corporation not to interfere with the performance of contract work.

112. That all work and materials shall be done and provided by contract, and after tenders have been called for, and notices for this purpose put up at every Police Station for at least two weeks, besides advertising therefor in any other manner which the extent and importance of the work may render necessary. In case of an emergency rendering it necessary to dispense with this rule, such dispensing herewith shall require the sanction of a majority (being not less than four) of the members of the Committee in charge of the matter: and every such case is to be entered in their minutes at the time, and to be reported to the Council at its next meeting, with the reasons which rendered it necessary in such cases to dispense with this rule.

Works and materials to be given out by contract after tenders have been called for.

Cases of emergency.

113. That no contractor or other person found by the City Engineer, or person in charge of the Engineer's Department, or by any Committee of the Council, or declared by a Resolution of the Council, or ascertained by a judicial decision, to have been guilty of defrauding, or of attempting to defraud the City, shall again be employed in any capacity on behalf of or receive any contract from the City, without the express sanction of the Council. It shall be the duty of the various Officers of the Corporation to forthwith report all such frauds, or attempted frauds of which they become cognizant to their superiors, and for such superiors to report the same to the Committee to whose department the subject of the fraud belongs.

Persons guilty of fraud not to be again employed.

Officers of the Corporation to report frauds.

GENERAL CLAUSES.

Persons admitted within the bar.

114. That no persons, except Members and Officers of Council, shall be allowed to come within the bar during the sittings of the Council without the permission of Mayor or other Presiding Officer.

Suspending rules or orders of the Council.

115. That no standing rule or order of the Council shall be suspended, except by a vote of two-thirds of the members present.

The laws of Parliament to govern proceedings of Council or Committees in unprovided cases.

116. That in all unprovided cases in the proceedings of Council or in Committee, the Law of Parliament shall be followed, and in such cases the decision of the Mayor or other Presiding Officer shall be final, and acquiesced without debate.

Improper conduct of Officers of the Council.

117. That any Officer who shall refuse, or wilfully fail, neglect to perform any duty enjoined upon him by any By-law or Resolution of the Council, or who shall, in discharge of his official duty, be guilty of any fraud, extortion, oppression, favoritism, partiality, or wilful wrong or injustice, shall be subject to removal from office, and to a fine in each case of not less than eight dollars nor more than fifty dollars.

By-laws to be deposited by the Clerk in his office safe.

118. That every By-law which has passed the Council shall, immediately after being signed by the Mayor and sealed with the seal of the Corporation, be deposited by the Clerk for security in the safe connected with his office.

Signing of cheques.

119. That all cheques for any sum of money whatsoever to be paid on account of the City, shall be signed by the Chamberlain and countersigned by the Mayor.

Minutes of the Council to be numbered.

120. That in order the more conveniently to carry out the provisions of this By-law, there shall be attached to each and every minute of the proceedings of the Council a progressive number in each year, and each document certified copy of a minute communicated to any Committee of the Council, as hereinbefore required, shall bear the number of the Council to which it refers.

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BY-LAW No. 504.

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