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BILL.

An Act to amend the Act intituled An Act
to authorize the City of Toronto to erect
Water Works and levy a water rate.

Received and read 1st time, Friday, 16th July, 1858.

Second reading, Monday, 19th July, 1858.

(500 copies.)

Hon. Mr. PATTON.

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An Act to amend the Act intituled an Act to authorize the City of Toronto to erect Water Works and to levy a Water Rate.

WHEREAS, the Mayor, Aldermen and Commonalty of the City of ^{Preamble.} Toronto have by their Petition prayed for certain amendments to the Act passed in the twentieth year of Her Majesty's Reign, chapter eighty-one, intituled "An Act to authorize the City of Toronto to erect
5 "Water Works and to levy a Water Rate," and it is expedient to grant the prayer of the said Petition: therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

I. The first, second, tenth, fourteenth, sixteenth, seventeenth and
10 twentieth clauses of the said Act, and generally all such parts thereof as ^{Certain sections of 20 Vic. ch. 81, repealed.} may be inconsistent with or repugnant to the provisions of this Act, shall be and the same are hereby repealed.

II. The persons hereafter to be appointed in the manner provided by this Act, and their successors, shall constitute a Board, to be called and
15 known as the Directors of the City of Toronto Water Works, who shall take the place of the Commissioners named in the Act hereby amended, and assume all the functions, and perform all the duties relative to the said Works, imposed by this and the said former Act. ^{A Board of Directors to be appointed in lieu of the Commissioners.}

III. It shall be the duty of the said Directors to examine, consider
20 and decide upon all matters relative to supplying the said City of Toronto with a sufficient quantity of pure and wholesome water for the use of the inhabitants thereof, and the amount of money necessary to effect that object, subject to the approval of the Common Council of the said City of Toronto, and also to contract with any person or persons, body or bodies
25 corporate, for the construction and operation of such Works as may be deemed necessary for furnishing such supply, under such authority and instructions as may, from time to time, be specified and contained in any By-law or By-laws to be passed by the said Common Council for that purpose. ^{The Directors may make enquiry and decide upon supplying the City of Toronto with water, subject to the approval of the Common Council.}

IV. From and after the passing of this Act the said Directors shall
30 have power to contract with parties willing to take water from them at a rate to be fixed by them, in the same manner as any private company or companies can or may now contract or charge for the same. And in the name and on the behalf of the said Mayor, Aldermen and Commonalty of ^{The Directors to have power to fix a rate for supplying water, and may purchase the property of any other incorporated Company.}

the City of Toronto, to purchase the property, rights and privileges of any company now incorporated for supplying the said City with water; provided always, that such purchase shall not, in the whole, exceed the sum of Fifty Thousand Pounds, currency; and after such purchase shall have been made, the owner and occupier of each and every house, tenement or lot in the said City of Toronto, situate on any Street into which the said water may be introduced, upon the Petition of a majority of the owners of property in such Street, shall each be liable for the payment of a special water rate, to be imposed, fixed and determined, by the said Directors, with the approval of the said City Council; and such water rate shall be inserted in the Assessment Rolls of the said City, and shall be a lien upon the said house, tenement or lot, in the same way and to the same extent as by law the ordinary taxes of the said City now are, and shall be collected in like manner.

Proviso, that the purchase shall not exceed £50,000.

Corporation of Toronto may borrow a sum not exceeding £300,000, for defraying the cost of the Water Works.

V. For the purpose of constructing the said Water Works and paying the expenses attendant thereon, or the purchase of existing works or the rights of any existing company or companies, as is hereinbefore provided, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Toronto to raise, by way of loan, upon the credit of the Debentures hereinafter mentioned, from any person or persons, bodies corporate or politic, either in this Province, Great Britain or elsewhere, who may be willing to advance the same, any sum or sums of money not exceeding in the whole Three Hundred Thousand Pounds, currency, and for the Mayor of the said City for the time being, under the direction and subject to the approval of the said Common Council, to cause to be issued, from time to time, as the same may be required for the purposes aforesaid, the Debentures or Bonds of the said City of Toronto, which shall be designated on the face thereof as "The Water Debentures of the City of Toronto," and shall be signed by the Mayor and countersigned by the Chamberlain of the said City, for the time being, for such sum or sums of money not exceeding in the whole Three Hundred Thousand Pounds, currency, the principal monies of which shall be made payable within twenty years from the date thereof, and the interest accruing thereon semi-annually, and such Debentures shall be made payable in such currency and at such place or places, within or without this Province, as the said Common Council may direct.

Water Works to be completed by 31st December, 1863, and until then interest of loan may be paid out of capital.

VI. Until the completion of the said works authorized by this Act, it shall and may be lawful for the said Common Council to provide for the payment of the interest accruing on the said Debentures issued under this Act, out of the capital sum raised thereon; provided always that the completion of the said works shall not be delayed beyond the thirty-first of December, one thousand eight hundred and sixty-three.

Interest on Water Loan to be there-after the first charge on the net revenue of the Water Works, and if not sufficient, a special rate may be levied.

VII. From and after the completion of the said works the interest on the Water Debentures of the City of Toronto shall be the first charge on the net revenue derived from the said Water Works, and should such revenue be insufficient to pay the same, then the said Common Council shall levy a special rate upon the whole of the rateable property in the said City of Toronto over and above all other rates, to defray such defici-

ency, which rate shall be entered on the Assessment Rolls as such special rate, and shall be levied and collected in the same way as all other rates are levied and collected. And if the net revenue aforesaid shall exceed the interest accruing on the said Debentures, then such surplus shall be 5 invested by the said Chamberlain under the direction of the said Common Council, to form a sinking fund for the redemption of the said Debentures.

VIII. This Act shall have no force or effect until the Common Council of the said City of Toronto shall pass a By-Law authorizing the construction of the said Water Works under the provisions hereof; and 10 at the first meeting of the said Common Council after the passing of such By-Law, the said Common Council shall nominate three persons to act as the Directors of the said Water Works as hereinbefore provided, a majority of whom shall form a quorum for the transaction of business; and such directors shall hold office for the term of three years, and be sub- 15 ject to removal therefrom at any time upon complaint made by petition to the said Council; provided such director or directors so complained against shall be first heard in his or their defence, and that two-thirds of the said Council shall vote for such removal.

IX. In case of any vacancy in the said Board of Directors, by 20 death, resignation, or removal as aforesaid, such vacancy shall be filled at the next ensuing meeting of the said Council, by the appointment of another Director, in manner hereinbefore provided, who shall hold his office for the residue of the said term, subject to all the restrictions aforesaid.

X. The Directors appointed under this Act shall be eligible for election 25 as Aldermen and Common Councilmen of the said City.

XI. The time for commencing the said Water Works shall be ex- 30 tended to the first of January, one thousand eight hundred and sixty, and such Water Works shall be available for use on or before the thirtieth day of September, one thousand eight hundred and sixty-three,

Act not to take effect until accepted by the Common Council. Three Directors to be nominated by such Council.

Vacancies in Board of Directors to be filled up by Council.

Directors eligible as Aldermen, &c.

Commencement and completion of Works.