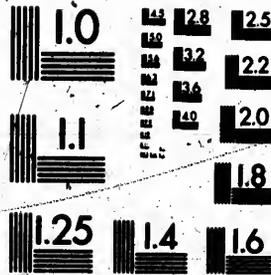


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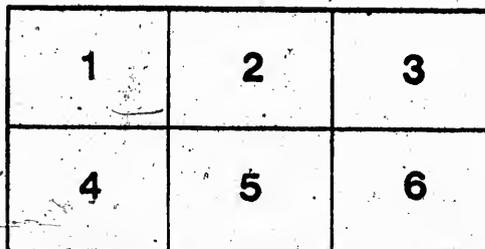
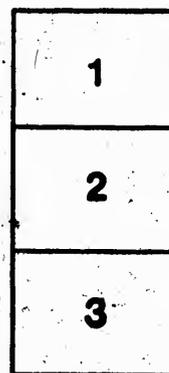
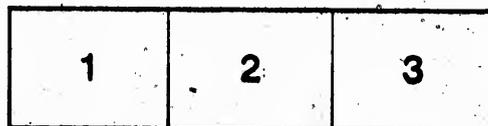
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BY-LAWS
AND
RULES OF ORDER

OF

The City of Hamilton.

PUBLISHED BY ORDER OF THE CITY COUNCIL.

HAMILTON, C. W.

PRINTED AT THE CHRISTIAN ADVOCATE OFFICE, KING STREET.

1854.

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Members of the City Council, 1854.

CHARLES MAGILL, *Mayor.*

Aldermen :

St. Patrick's Ward—D. B. GALBREATH, D. STUART.
St. George's Ward—W. L. DISTIN, D. PRINGLE.
St. Mary's Ward—ROBERT McILROY, J. CARPENTER.
St. Andrew's Ward—HUTCHINSON CLARK, M. DAVIS.
St. Lawrence Ward—C. MAGILL, J. F. MOORE.

Councillors :

St. Patrick's Ward—R. LAND, JR., JOHN McCUAIG.
St. George's Ward—J. MITCHELL, JOSEPH FAULKNER.
St. Mary's Ward—W. J. SUNLEY, J. T. GILKISON.
St. Andrew's Ward—T. BRANIGAN, P. B. SPOHN.
St. Lawrence Ward—J. S. DALTON, T. DAVIDSON.

Officers of the Corporation.

Messrs. BURTON & SADLEIR, City Solicitors.
Messrs. HODGINS & PETERS, City Engineers.
GEORGE H. ARMSTRONG, Police Magistrate.
R. W. KERR, Chamberlain.
JOHN KIRBY, City Clerk.
EDWIN HENWOOD, City Physician.
JOSEPH ROLSTON, Inspector of Weights and Measures.
JOHN DAVIS, Clerk of the Market.
JOHN MOORE, Health Officer.
JAMES McCRACKEN, High Bailiff.
JOHN CARRUTHERS, Chief Constable.
WILLIAM MONTGOMERY, Constable.
JOHN FITZPATRICK, do.
WILLIAM WEST, do.
JOSEPH KAVANAH, do.
PETER FERRIS, do.
P. McGLOGAN, do.
ROBERT BIBLE, do.
JOHN WILSON, Superintendent House of Industry.
ROBERT LAWRIE, Street Inspector.
JAMES GAY, Superintendent of Cemetery.
G. BRADSHAW, Wood Inspector.
ROBERT WILLIS, Laborer.

RULES,

*To Regulate the Proceedings in the City Council of the
City of Hamilton.*

1. That the Regular Meetings of the Council shall be held on each alternate Monday, at seven o'clock P. M., and if at that hour there is not a quorum present, the Mayor may take the Chair and adjourn with the consent of the majority then present.

2. That whenever a meeting may be required for special business, it shall be called by his Worship the Mayor, or in case of his absence, at the request of any five members of the Council, the Clerk shall summon the meeting, and it shall not be competent to consider or decide upon any matter at a special meeting, unless such matter has been fully explained in the notice calling the meeting.

3. That as soon as a quorum is assembled, the Chair shall be taken, and the proceedings of the meeting commenced by the Clerk reading the Minutes of the last regular, and any intermediate special meetings.

4. That whenever an adjournment takes place in consequence of there not being a quorum present, the names of the Members present shall be inserted in the records of the Council.

5. That the Mayor shall preserve order and decorum, and decide upon questions of order, subject to an appeal to the Council. And shall state the rule applicable to the case if required.

6. That the business of the Council shall be taken up in the following order:—

I. Presentation of Petitions and Memorials by Members in their places.

II. The reading of the same by the Clerk or the Member presenting them.

III. The presentation of Reports from the Standing Committees, according to seniority, and Special Committees, according to date of appointment.

IV. The Third reading of By-Laws.

V. The reference of Memorials and Petitions, by the Mayor or presiding officer to their appropriate Committee, without motion.

VI. The consideration of the Reports of the Standing and Special Committees, in the order in which they were presented, unless with the unanimous consent of the Members present.

VII. The first reading of By-Laws.

VIII. The consideration of any business of which notice had been given on a previous evening.

IX. The second reading of By-Laws, and their consideration in Committee of the whole.

Notices, in writing, of intention to introduce any measure or resolution, may be given at any time during the evening, and shall always be entered on the order of the day.

7. That no specific appropriation or other business of moment shall be determined upon until it has been reported upon by the appropriate Committee, unless it may appear that the Committee has neglected to fulfil its duty.

8. That every motion or resolution shall be in writing, and read by the mover, and when duly moved and seconded, and stated by the Mayor or presiding officer, shall be open for consideration.

9. After a resolution has been duly stated, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time, with the sanction of the Council.

10. When any resolution is under consideration, no motion shall be received unless to adjourn,—to lay on the table,—the previous question,—to postpone,—to refer—or to amend; which shall have precedence in

the order in which they are arranged; the first and third of which shall be decided without debate.

11. When any Member desires to speak, he shall rise in his place and address his remarks to the Mayor, or presiding officer, confine himself to the question and avoid personality. Should more than one Member rise at once, the Mayor or presiding officer shall determine who is entitled to the floor.

12. No Member, other than the one proposing a question or motion, (who shall be permitted to reply,) shall speak more than once, without the leave of the Council, except in explanation of a material part of his remarks which may have been misconceived, but then he is not to introduce new matter.

13. The Mayor or any Member may call a Member to order while speaking, when the debate shall be suspended, and the Member shall not speak until the point of order be determined, unless to appeal from the decision of the Chair.—All appeals shall be decided without debate.

14. Every Member present when a question is put shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question, in which case he shall not be obliged to vote.

15. When the Mayor or presiding officer, is putting a question, no Member shall walk out of, or across the House, or when a Member is speaking, shall any other Members hold discourse, which may interrupt him, nor pass between him and the Chair.

16. That any member of the Council may of right, require the question or motion in discussion, to be read for his information at any period of the debate, but not so as to interrupt a Member speaking.

17. That upon a division in the Council, the names of those who vote for, and those who vote against the question, shall be entered upon the Minutes.

18. A motion to adjourn shall always be in order, and need not be in writing.

19. That any proposed By-Law be introduced by a motion for leave, specifying the title of the By-Law, or a motion for a Committee to bring it in, or by a report of a Committee.

20. That any proposed By-Law shall receive three several readings, but not more than two on the same evening, unless with the unanimous consent of the Members present. The Clerk shall certify the reading and the time on the back of the By-Law.

21. Any Member, presenting Memorials or other papers, addressed to the Council, shall be accountable that they do not contain improper or impertinent matter.

22. That the Mover of a Special Committee shall be Chairman of the same, and whenever any Measure is referred to a Committee, the introducer of the Measure shall be a Member of the Committee instructed to consider it.

23. Whenever it shall be Moved and Resolved that the Council go into Committee of the whole upon any question, the Mayor or presiding officer shall leave the Chair, and appoint a Chairman of the Committee, who shall report their proceedings to the Mayor or presiding officer on his resuming the Chair. The Rules of the Council shall be observed in the Committee of the whole, except the rules relating to the yeas and nays, and limiting the number of times of speaking.

24. That a Motion in Committee, to rise and report the Question, shall be decided without debate.

25. That the Standing Committees shall be as follows: 1st, on Finance; 2nd, on Fire and Water; 3rd, Streets, Side-walks and Gas; 4th, Markets and Market Block; 5th, Police; 6th, Grievance; 7th, Hospital and Cemetery. Each to consist of five members.

26. No money appropriation shall be finally acted upon by the Council, until it shall have been referred to the Standing Committee on Finance; and no money shall be paid by the Chamberlain until ordered by the Council, and such order signed by the Mayor or presiding officer.

27. When a blank is to be filled, the question shall be first taken on the highest sum or number, and on the longest time proposed.

28. On the call of any Member, a majority of those present, may demand that the previous question may be put, which shall always be in this form: "Shall the main question be now put?" and until it is decided shall preclude all amendments to the main question, and all further debate.

29. After any question, except one of indefinite postponement, has been decided, one Member, who voted in the majority, may, at the same time, or at a subsequent meeting, move for a reconsideration thereof, but no discussion of the main question shall be allowed unless re-considered; nor shall any question be re-considered more than once.

30. That any one or more of these Rules may be at any time temporarily suspended, with the consent of two-thirds of the members present.

31. That the members of the Council shall take their places in the following order:—The members for St. George's Ward to occupy the table in the centre; those for St. Lawrence, the Easterly portion of the Northern table; those for St. Mary's, the Westerly portion of the same; those for St. Patrick's, the Easterly portion of the Southern table; those for St. Andrew's, the Western portion of the same. Members may exchange seats by mutual consent.

32. That all Chairmen of Standing Committees shall keep minutes of their proceedings in a book to be furnished for that purpose by the Clerk, such book to be left with the Clerk at the expiration of office.



BY-LAWS
OF THE
CITY OF HAMILTON.

BY-LAW No. LXVIII
ON MARKETS.

(Passed May 6th, 1852.)

WHEREAS it is expedient and necessary to pass a By-Law to regulate the Public Markets of the City of Hamilton: Be it therefore enacted, by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled; "under the Upper Canada Municipal Corporations Acts."

§ 1. That no person shall expose for sale any Meat, Poultry, Eggs, Butter, Cheese, fresh Fish, or any other kind of Provision, or crop Produce within the City of Hamilton, at any place but the Public Markets, without having first paid the Market Fees thereon, hereinafter mentioned; and that no person but Butchers shall sell any Meat in less quantity than by the quarter, and such Butchers shall not expose any Meat for sale at any other place than the Market Stalls, or at such other places as the Council by Resolution shall grant them leave to sell at; provided always that no fees shall be charged on Wheat intended for exportation, after 1st June next.

Meat to be exposed in Market.

§ 2. That from and after the said day, no person shall exercise the trade of a Butcher within the said City, without being previously licensed by the Mayor so to do, who is

Butchers to take out Licenses.

hereby authorized to issue such license under the City Seal; and any person selling meat by the carcase, or quarter, or in less quantities than quarters, shall be deemed a Butcher for the purposes of this By-Law; and that the duty on such license shall be at the rate of 5s. per year; and all licenses shall expire on the first day of June, or the first day of December in each year; and that no persons except Butchers, shall sell in less quantities than by the quarter.

Nuisance.

§ 3. That from and after the passing of this By-Law, no person shall bring into or leave about ~~the~~ Market any hides, offal, or any refuse or animal or vegetable matter that might occasion nuisance.

No Forestalling to be allowed.

§ 4. That no person shall buy any article of provision, food, or produce in the said city, on which the market fees are hereby required to be paid, for the purpose of re-selling the same, or any part thereof, until after twelve o'clock, noon, nor shall any person forestall or engross any of the aforesaid articles of provisions, food or produce, within this city, until after that hour.

Tainted Meat not to be exposed for sale.

§ 5. That no person shall expose or offer for sale within the city, any tainted or unwholesome Meat, Poultry, Fish, or articles of Food; and that it shall be the duty of the Clerk of the Market to inspect all Meats and other articles of provisions so exposed for sale, and if any such meat or other article of food shall be found so exposed for sale to prosecute the offender, and to inform the Mayor or one of the Aldermen or Councillors of any such tainted or unwholesome meat, or other articles of food found within the city. And

that it shall be lawful for him, under the direction of the Mayor, or any one of the Aldermen or Councillors, to seize and destroy all such tainted or unwholesome Meat, Poultry, Fish, or other article of food so found, whether the same has been exposed for sale or not.

§ 6 That the Market Stalls shall be offered for sale annually to the highest bidder, but not under upset prices, which prices shall be fixed from time to time by resolution of the Council, and all leases of, and terms in said Stalls, shall expire on the first day of June in each year, and if all the Stalls shall not be sold at such annual sale, or if any Stall shall become untenanted during the year, it shall and may be lawful for the Council to sell or let the same, either by public sale or private contract, and for such price and period as the Council shall think proper, provided such period shall not extend beyond the first day of June, then next following. And the rent or price of such Stalls shall be payable monthly, in advance, to the Chamberlain, and if any butcher shall neglect to pay such rent, for one week after the same is demanded by the Chamberlain, his lease and term in the Stall shall thereby be forfeited, and such Stall may thereafter be sold to the highest bidder. That each Stall shall be numbered before it is sold, and shall be known by such number. And before any such sale shall be binding on the City Council, the purchaser shall sign a lease of the same, which may be in the following form:—

Stalls to be annually put up for sale.

"This day of I leased from Form of Lease
the City Council Stall, No. in the Market, to
hold the same until for the sum of

payable monthly in advance, subject to all By-Laws of the City of Hamilton, and Market Regulations affecting the same."

No person to underlet Stall.

And that no person having a Stall or Standing in any of the Markets of the city, shall underlet or assign it, or place, or leave any one in the same, under pretence of taking charge thereof, without the consent of the City Council, and any such act shall be a forfeiture of all interest such person had therein; and it shall be the duty of each butcher to keep his Stall in a clean and sweet state.

Chamberlain to issue Warrant for Rent.

§ 7. That it shall and may be lawful for the Chamberlain of the City to issue a warrant, and for such purpose to use the City Seal, directed to any one of the City Constables, to seize any butcher's meat in any Market Stall, for the arrears of rent for such Market Stall, and in case such rent shall not be paid, within six hours after such seizure, and notice thereof in writing, put up in three places in the Market, specifying the meat seized, the cause thereof, and the time the same will be offered for sale, such Constable shall sell such meat, or so much thereof as will satisfy the said rent, to the highest bidder: *Provided always*, that it shall not be lawful for the meat of a subsequent lessee of a Stall to be seized for the arrears of rent of a previous tenant thereof.

Butchers, Grocers, &c., not to purchase before 12 o'clock.

§ 8. That no Butcher, Huckster, or Grocer shall, on any pretence, directly or indirectly purchase or contract for, or cause to be purchased or contracted for, any kind of Meat, Provender, Provisions or Produce before the hour of 12 o'clock noon of any day, in the city or markets.

§ 9. That no Butcher or other person shall ^{Dogs.} keep any Dog or Bitch in or about the Markets or places designed for the sale of Meat.

§ 10. That no person shall sell or expose ^{Auctioneers.} for sale any Goods or Chattels, or any Animal by Auction in said Market, or in the Market grounds, or in any of the streets immediately adjoining or opposite the same, after the 1st day of June next.

§ 11. That it shall be lawful for Farmers ^{Meat sold by the Quarter.} and Butchers to sell meat by the quarter or in greater quantity in the Market grounds, after the 1st day of June next.

§ 12. That whenever any Butcher has obtained permission from the City Council to sell meat elsewhere than in the Market; such ^{Butchers obtaining permission to sell elsewhere than in the Market.} Butcher shall pay for such permit five shillings per annum, to the Clerk of the City Council at his office, and such Butcher shall be liable to all the provisions of this By-Law, and for the payment of any fines that may be imposed on him for his violation of the same.

§ 13. That no person shall keep a Slaughter-House ^{Slaughter Houses.} within the city or the liberties thereof, without special resolution of the Council in that behalf, nor play at any game, or lie down, or sleep, or behave in a disorderly, noisy or riotous manner, nor use profane or obscene language, or otherwise conduct himself in an offensive manner, in and about the said Market or Market grounds.

§ 14. That the Market shall be opened ^{Market Hours.} every morning, (Sundays excepted,) by the Clerk of the Market, at six o'clock, between

the first day of March and the first day of November, and at seven o'clock during the rest of the year, and shut at four o'clock every evening all the year round, except Saturdays, when the Markets shall be kept open till nine o'clock, P. M.

Hay and Straw

§ 15. That all Hay and Straw brought to the city and exposed for sale, shall be brought near the Hay Scales, and the persons bringing the same shall place their waggons or other vehicles in such place and order as the Clerk of the Market shall direct.

Vehicles to be placed where Clerk directs.

§ 16. That when any waggon or other vehicle shall be brought to the Market, containing any article to be sold or retailed out of such waggon or vehicle, the person bringing the same shall place it in such order, and take the animals drawing the same therefrom, and remove such waggon or vehicle when the articles are sold out, as the Clerk of the Market shall direct.

Weights and Measures.

§ 17. That all persons selling Meat or other articles of provision by weight or measure, in the city, shall provide themselves with Scales and Weights and Measures, regularly marked, stamped, and duly adjusted by the City Inspector of Weights and Measures, according to the lawful standard, and no person shall sell by less weight or measure than such standard. And it shall be lawful for the Inspector of Weights and Measures, to seize and destroy such as are not according to such standard; and all articles of provision sold by weight or measure, which shall be brought into the markets, and shall prove deficient in weight or measure, shall be forfeited and sei-

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BY-LAW No. LXXI.

ON STREETS AND SIDEWALKS.

(Passed May, 31st. 1852.)

WHEREAS it is expedient to consolidate and amend the By-Laws and Regulations relating to the Streets and Sidewalks in the city of Hamilton.

Be it therefore enacted by the Mayor Aldermen and commonalty of the City of Hamilton in Council assembled, "under the Upper Canada Municipal Corporation Acts:"

§ 1. That every person in the actual possession, or having charge of any house, or other building, or piece of land, or any part thereof, in front of which there is or shall be, a sidewalk, shall, by 12 o'clock noon, of each day, except Sundays, clear off and remove all snow and ice from such sidewalk: Provided always, that such snow and ice shall not be thrown into the gutter in front of such sidewalk.

Snow and Ice to be removed.

§ 2. That no person shall allow snow or ice to remain on the roof of any building he she or they may occupy, own, or have the charge of, so as to cause any reasonable apprehension of danger therefrom.

Snow and Ice from roofs.

§ 3 That no person shall by any animal, vehicle, lumber, building, or other material or thing, or in any way whatever, directly or indirectly, incumber or allow to remain incumbered, or injure or foul any street, square, lane, walk, sidewalk, road, bridge, sewer, or shore, now laid out and erected, or being, or hereafter to be laid out and erected within

Incumbrances not to be allowed on any Streets, &c.

the limits of the said City and liberties, (except as hereinafter provided with respect to buildings and building materials,) without a license from the City Council for such purpose.

Shavings,
Pairings, &c..
not to be cast
into any street,
&c.

§ 4. That no person shall cast or throw, or cause to be cast or thrown, into any public streets, squares, lanes, walks, sidewalks, roads, bridges, ditches, gutters, drains, or sewers, within the City or liberties, any earth, shavings, parings of leather, tin, wood, stones or rubbish, or cause any obstruction, nuisance or injury in or to the same.

Firewood not
to be placed on
any sidewalk,
&c.

§ 5. That no owner or occupant of any building shall cause or permit any firewood, to be placed or remain on any side or cross walk, opposite or adjoining his lot, nor shall he suffer the same to be placed or remain in the street opposite his house or lot, further than five feet from the outer edge of the sidewalk, and then only for the purpose of being sawed or cut, and not to remain more than twenty-four hours.

Auctioneers
shall not ex-
pose or sell on
sidewalks, &c.

§ 6. That no Auctioneer shall, by himself or agent, sell, or expose for sale at auction, any goods, wares, or merchandise, upon any sidewalk, or in any street, alley, or public place in the city, nor shall any such Auctioneer, or his agent or servant, or other person, sell any such goods, wares, merchandise, or other things to any person or persons, who at the time of bidding for the same shall be on the carriage way or sidewalk of any of the streets of the City. Provided always that this Section shall not apply to horses, carriages, or cattle which may be sold in the carriage way of the streets.

§ 7. That from and after this date, it shall ^{Building material may be put in the streets.} and may be lawful for any person or persons, owning or being in possession of a lot or parcel of ground in said City, and wishing to build, to lay building materials in the public streets or highway, in front of said lot or piece of land, so that the same shall not occupy over one-half of the width of the said street, exclusive of both sidewalks; and so that the same do not impede or incumber, or block up either, or any sidewalk gutters, or the place where the sidewalk should be; and provided also, that said materials do not extend either way in said street further than the frontage of land so occupied or owned by the person depositing said materials, without the consent of the persons owning on the two sides; or in case that is refused a special permission granted on a regular application to the City Council; And provided also, that if the party owning on the opposite side of the street wishes to build at the same time, each party shall, in that case, be restricted to the use of one-third of said street instead of the half; which street, in the way aforesaid, they may peaceably and lawfully occupy for such reasonable time as may be necessary to complete said building or buildings.

§ 8. That it shall ^{To erect area walls, &c.} be lawful for any person or persons hereafter building in the said city, or who have already got buildings in said city, to excavate in front of their said buildings or lots, so as to erect area walls and procure areas for basement stories, said areas not to exceed eight feet in the clear, exclusive of the walls, and to be well and substantially covered with such timbers and ma-

materials as to render the footways safe and secure.

Excavations.

§ 9. That each and every person who shall excavate for the erection of walls, or for any other purpose, in or near the sidewalk, or in or near any other place frequented by the public, shall put up a good protecting rail or plank, to prevent harm to individuals or to the public, and shall complete said walls with all possible and reasonable despatch.

Displacing planks, &c.

§ 10. That each and every person who shall have occasion to displace any plank or part of a sidewalk in this city, for the purpose of building or repairing buildings, or for any other needful purpose, may do the same without being liable to action, provided he speedily and substantially refit the same; and every person injuring the sidewalk by taking the same up, or by passing it with teams or otherwise; or in building or repairing, or removing buildings, or in any way whatever, shall be liable to pay the full expense of repairing the same together with fine and costs, if he shall neglect to repair the same in a proper and reasonable time after so injuring or displacing thereof.

Building materials.

§ 11. That no person shall manufacture building materials in any street or lane within the city, unless specially permitted so to do by the City Council.

Hanging gates.

§ 12. That no person shall hang any gate or door, or allow any gate or door to remain hung so as to swing over any sidewalk, street road or lane, within the city.

Door-steps, railings, &c.

§ 13. That the City Council shall and may at any time after the passing of this By-Law,

by resolution under the seal of the city, authorize and direct the City Surveyor or other officer of the city of Hamilton, to remove and take away any door-steps, porches, railings or other erections, projections, or obstructions whatsoever, which may project into or over any public street, lane, alley, square or road in the city of Hamilton or liberties thereof.

§ 14. That every person who may under the 7th Section, lay building materials in the streets, shall cause all the timber, building materials and rubbish arising therefrom to be removed from such streets when ordered so to do by resolution of the City Council, under a penalty not exceeding five pounds, for every twenty-four hours the timber, materials, or rubbish shall be and remain in such street after a copy of the order to remove the same shall be served on such person, or left at his dwelling house.

Removal of
rubbish, &c.

§ 15. That all proprietors, or occupants, or person or persons having charge of any house or building in the city, having cellar-doors made in the foot-path, or sidewalk, opposite their premises, shall constantly keep the side-doors in good repair, and shut after dark, nor leave the said cellar-doors open in the day time for any greater length of time than may be reasonably sufficient for filling into or out of the same such goods, wood or effects as may be intended to be introduced into or taken out of such cellar; and during the time the said cellar door shall remain open in the day time for the purposes aforesaid, it shall be the duty of the proprietor or occupier of said premises, to put on each side of the opening of such cellar door a sufficient guard, to

Cellar doors,
foot-path, to
be kept in repair.

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be at least three feet high, so as to protect passengers from injury, under the penalty hereinafter mentioned, to be recovered from the proprietor, occupier, or person or persons having charge of any such house or building.

Ornamental trees.

§ 16. That it shall and may be lawful for any person or persons who may be desirous of planting ornamental trees in any street within the city of Hamilton, to make application in writing to the Standing Committee on Streets and Sidewalks, appointed by the City Council for the time being, for permission to plant such trees, and for such person or persons, after having obtained such permission, to proceed to plant the same.

Standing Committee on Streets.

§ 17. That all such ornamental trees shall be planted under the direction and superintendence of the Standing Committee on Streets and Sidewalks, or such other person as they may appoint to attend to the same in that behalf.

Defacing or destroying trees.

§ 18. That any person who shall wilfully or maliciously injure, deface, or otherwise destroy any ornamental tree or trees that is are, or hereafter may be planted in any street of the said city, shall, upon complaint and conviction thereof, be fined a sum not less than ten shillings, and not more than five pounds, with costs, to be levied of his, her, or their goods and chattels; and in the event of sufficient goods and chattels not being found, to be imprisoned for a period not to exceed thirty days.

Ringling bells,

§ 19. That no person shall ring a bell or blow a horn, or shout, or make other unusual noises in the streets, or other public place, without a lawful or reasonable cause.

§ 20. That no person shall ride or drive ^{Riding or driving on side-walks.} on any sidewalk or permit any horse or vehicle to stand on any sidewalk or crossing or leave any horse or horses in any street, lane, or alley untied, or fasten any horse in any street or lane, so that such horse, or the lines with which the horse is fastened, shall obstruct the passage of persons on any part of any sidewalk, or drive with a sleigh without at least two bells attached to the harness, or ride or drive, or cause, or permit to be rode or driven any horse or horses or cattle in any of the public ways, streets or lanes of the city at an immoderate rate, or without proper caution against doing injury to foot passengers.

§ 21. That it shall and may be lawful for ^{Street Inspector to arrest.} the street Inspector or any of the City Constables to arrest any person or persons committing any breach of the preceding section, and to carry him or them before the Mayor, Police Magistrate or any of the Aldermen.

§ 22. That no person shall take or excavate any sand from any street, road or lane within the city without the permission of the City Council, first obtained for such purpose. ^{Sand from Streets.}

§ 23. That from and after the passing of this By-Law, no person shall commence to build, erect or place any wooden building or buildings, of which the sides or ends shall be of wood, larger than ten feet square; neither shall they continue or uphold any such wooden building commenced hereafter, in that part of the City, comprised within the following limits, viz: Market or King William Streets, on the north; Mary and Walnut Streets on the east; Brougham and Main Streets, on the ^{Wooden buildings.}

south ; and Bowery and Bay Streets, on the west ; and no building within the above limits, shall be covered with shingles, from and after the passing of this By-Law without a good coat of mortar, half an inch thick, being laid on the roof boards directly under the shingles.

Wooden buildings.

§ 24. That no person shall commence to build, erect or place any wooden building larger than ten feet square, neither shall they continue or uphold any such wooden building commenced hereafter, in that other part of the City comprised within the following limits viz: Vine and Gore Streets on the north ; Mary and Walnut Streets, on the east ; Tyburn Street and Maiden Lane, on the south ; Bowery and Bay Streets, on the west ; unless such building be lathed and plastered on the outside, with three good coats of mortar or with two such coats of mortar and one of rough-cast, or stucco ; with a coat of mortar not less than half an inch thick, on the roof boards, immediately under the shingles.

Party walls.

§ 25. That any person who shall hereafter erect any building or buildings in this city of stone or brick shall make the party walls not less than one foot thick in the clear, if brick, and two or more stories high ; and not less than eighteen inches, if of stone, and two or more stories high ; and shall so arrange the joists as to prevent their communicating fire through the wall : That is, the joist holes shall not extend over half through the wall on, either side, and shall not correspond, but be at least four inches in the clear, the one from the other.

Breaking lamps, &c.

§ 26. It shall not be lawful for any person or persons carelessly or maliciously to break,

§ 2. That during the day time it shall be the duty of the Police to see that all nuisances in any part of the city are removed therefrom at once; that the waggons are properly placed in and about the market grounds, and that good order is maintained therein.

Duties of
Policeman.

§ 3. That the High Bailiff shall have the charge and management of the Constables; and, in his absence or sickness, the senior officer shall have like power.

High Bailiff to
have charge of
Constables.

§ 4. That the Police Constables shall obey all orders and directions of the High Bailiff or senior officer, in command; and any refusal to execute, or contempt of orders, shall be met with dismissal and forfeiture of a month's pay.

Obeying the
orders of High
Bailiff.

§ 5. That two of the Constables shall patrol the city every night until 11 o'clock, and on Saturday nights until 12 o'clock, to see that all Inn-keepers and others comply with the By-Laws.

Night Watch.

§ 6. That each Constable shall report to the High Bailiff, every morning, the particulars of the previous day and night, who shall enter in his register the name of the man, and the substance of the report.

Constables to
report every
morning.

§ 7. That in case of fire, the Policemen shall repair to the Police Office to see that the bell is rung and the engines and reservoirs are sent to the fire.

Bell to be rung
in case of fire.

§ 8. The Policemen, when on duty, must exhibit perfect command of temper, unmoved by any language or threats that may be used, and his whole attention must be given to his duty.

Department of
Policemen.

Policemen to
arrest, &c.

§ 9. The Policemen shall arrest any person violating the law by committing a felony or misdemeanor, or causing a disturbance of peace and good order.

Salaries.

§ 10. That no Policeman shall receive, directly or indirectly, any reward or fee, or other compensation than his salary.

BY-LAW No. LIX.

ON WOOD.

(Passed May 6th, 1852.)

WHEREAS it is necessary to amend the By-Law now in force relating to the Inspection and Sale of Firewood and Shingles.

Be it therefore enacted, by the Mayor, Aldermen, and Commonalty of the city of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporation Acts:"

Inspector.

§ 1. That there shall be appointed annually one Measurer and Inspector of Firewood and Shingles in the city of Hamilton.

Not to offer
Wood for sale,
except in cer-
tain cases.

§ 2. That no person shall expose for sale, in any part of the city except in that part of the "Gore" in King Street, between John and Hughson Streets, any firewood by the load, or in quantities less than five cords, unless the same shall have been measured, and the quantity and quality marked by the Measurer and Inspector, appointed as aforesaid; nor shall any person offer wood for sale unless the price per cord is specified by him for the same.

Inspector to
give Seller a
Certificate.

§ 3. That the Inspector shall mark, in a legible and conspicuous manner, upon the

wood, when measured, the cords or parts of a cord contained therein, and the quality—such as No. 1, 2, 3, or 4—and he shall give the seller a written or printed certificate, of which he shall keep a correct duplicate in a book, which he shall present to the Council and Chairman of the Market Committee, once in every month, which the seller shall exhibit when requested, and upon the wood being sold, give to the buyer.

§ 4. That no person shall expose for sale, at any other place in this city than at the wood market, on the Gore aforesaid, any shingles, unless the same shall have been measured, inspected, and marked, as before mentioned with regard to wood; the quantity specified in thousands or parts thereof; and the quality, as No. 1, 2, 3, or 4. Certificates to be given and exhibited, as in the case of wood above mentioned.

Not to offer Shingles for sale except in certain cases.

§ 5. That the Inspector shall receive from the Seller a Fee—for every Load of Firewood, two-pence, and for every bundle of shingles, one-penny.

§ 6. That the said Inspector shall be governed in his rule of measurement and inspection by the rules observed by the Inspectors and Measurers of Government Firewood in this Province, so far as known; and that he shall measure all lengths of wood from Calf or Scarf to Point; and that he is hereby authorised and required to place all teams loaded with wood and shingles in a line along the centre of the said "Gore;" and any person bringing firewood or shingles into the city for sale, who shall neglect or refuse to comply

Measuring Wood and Shingles.

with this By-Law, or shall leave the line before he has sold or disposed of his wood or shingles, or shall loiter about the streets with his load, shall be liable to the penalty hereinafter mentioned.

Inspector to give security.

§ 7. That the Fees for the Measurement of Wood and Shingles shall be sold and accounted for in such manner; and the purchaser of the same, who shall be the Wood Inspector, shall give such security to the Mayor, Aldermen, and Commonalty of the City of Hamilton, for the general performance of his office and for the payment of the purchase-money, and in such proportions, and at such periods as the City Council shall from time to time, previous to the sale thereof, by resolution adopt: Provided, that if such Wood Inspector shall wilfully break any provision of this By Law, or wilfully misbehave himself in his office, he shall not only be liable to be fined for such offence, but, on conviction thereof, he shall also forfeit his said office, and the City Council may thereafter re-sell the said fees for the remainder of the year.

Firewood, Shingles, &c., to be inspected

§ 8. That all Firewood and Shingles which shall at any time be brought to this city, and stored or deposited in any yard or other place, and which thereafter shall be sold and carted from such yard or other place, shall, when sold, be inspected in like manner, and under the same regulation as Firewood and Shingles sold in the Wood Market; and the seller of the same shall be liable for payment of the fees of inspection and measurement.

Defacing Marks on Firewood, &c.

§ 9. That it shall not be lawful for any person or persons to deface or obliterate the

mark or measurement made on any Firewood and Shingles made by the Wood Inspector.

§ 10. That any person infringing the provisions of this By-Law, or any part thereof, shall, for every such offence, be fined a sum of money not to exceed five pounds, with costs; and in default of payment thereof, shall and may be committed to the Common Gaol of the United Counties of Wentworth and Hamilton, for a period not to exceed thirty days. Penalties.

BY-LAW No. LXVII.

FIRE BRIGADE.

(Passed May 6th, 1852.)

WHEREAS it is necessary to amend the By-Law now in force relating to the Firemen and Fire Companies.

Be it therefore enacted by the Mayor, Aldermen, and Commonalty in the city of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporation Acts :"

§ 1. That from and after the passing of this By-Law, all By-Laws having reference to Firemen and Fire Companies are hereby repealed. Repeal.

§ 2. The "Hamilton Independent Fire Brigade" shall consist of one Chief Engineer and Assistant Engineers, one Hook and Ladder Company, one Hose Company, and such number of First and Second Class Engine Companies and Portable Reservoirs, as may be found necessary. Officers of Fire Brigade. The Brigade to be under the management of a Committee, to be composed of the Chief and Assistant Engineers, Officers of

Companies, and the Chairman of the Fire and Water Committee, appointed by the City Council.

§ 3. It shall be the duty of the Chairman of the Fire and Water Committee, appointed by the Council, to act with the Committee named in Section 2; he shall be a member thereof, ex-officio, and shall be subject to all the Rules and Regulations from time to time made by the said Fire Brigade, relating to the duties of the said Committee.

Engineers annually elected.

§ 4. The Chief Engineer and Assistant Engineers shall be elected annually, by the members of the different Companies composing the Brigade, and who shall also elect from their own number their own officers, in such manner and at such times as they may think proper, and send the names of such Chief and Assistant Engineers and officers to the City Clerk, for registration; and the Committee of Management, and the Companies, may pass such By-Laws for their own government as are not repugnant to this By-Law or the general laws of the city.

Chief Engineer to preside.

§ 5. The Chief Engineer to have full command at all fires, and preside at all meetings of the Brigade and Committee of Management, and shall have the sole and absolute control over all Engine and other Stations, Engines, Portable Tanks, and all other apparatus connected with the Fire Brigade, and also all carters and others who may be aiding or assisting in extinguishing fires; and also he is authorized to cause to be demolished, or to be removed, all buildings, fences, or other obstructions that may be deemed necessary to

arrest the progress of any fire, In the absence of the Chief Engineer, it shall be the duty of the Assistant Engineers, in the order of their seniority, to have the authority, and perform all the duties devolving on the Chief. In the absence of Assistant Engineers, the senior Captain present (excepting Captains of Second-Class Engines) to have the same power and authority as the Chief and Assistant Engineers; and the Chief Engineer, Assistants, and officer in command of any Company of the Fire Brigade at any fire, shall have full power to order any person or persons to assist in extinguishing such fire, and by reporting to the Stipendiary Magistrate the names of any person or persons wilfully neglecting or refusing to obey such orders, they shall be liable to the penalties hereinafter provided.

In case of the absence of C. Engineer, the Senior Assistant Engineer to preside.

§ 6. The City Council shall pay all necessary expenses for the repairing of apparatus for the Brigade. The officers in command of the different Companies are authorized to get necessary repairs done to the apparatus under his control, such accounts to be certified by the Chief Engineer, and paid by the Council on his order. For new apparatus, the consent of the Council must be obtained. The Council shall pay annually to the order of the officer in command of each Company, for the purpose of cleaning, and keeping in efficient order, the apparatus of the Brigade, the following sums, viz:—For each First Class Engine, the sum of four pounds currency; for each five hundred feet of Hose, four pounds currency; for the Hook and Ladder Carriage, four pounds currency; and for each Second Class Engine, the sum of two pounds currency; in quarterly payments.

The Council to pay necessary repairs.

Annual grant. § 7. That the annual grant be made to the Hamilton Independent Fire Brigade of £100, for the better organization and support of the said Brigade, in lieu of all premiums as heretofore granted by this Council, said amount to be paid in quarterly payments, to the Treasurer of said Brigade, by the Chamberlain upon the order of the Chief Engineer, to commence with the passing of the By-Law.

Firemen, in certain cases, to be exempt from Statute Labor.

§ 8. That when any member of any Company of Firemen in this city, which is or may be regularly enrolled, has regularly and faithfully served for the space and term of seven years consecutively in the same, the member shall be entitled to receive, upon producing due proof of his having served seven years consecutively, as aforesaid, a certificate from the Clerk of the Common Council of the city that he has been regularly enrolled and served as a member of the said Fire Company for the space of seven years; which certificate shall exempt the individual named therein from the payment of any personal Statute Labor Tax thereafter, and from serving as a Juror on the trial of any cause in any Court of Law within this Province.

Penalty.

§ 9. And be it further enacted, that any person being convicted of an infringement of this By-Law, shall be liable to a fine, not to exceed five pounds, and not less than one, and in default of payment, to be committed to the common gaol of the United Counties of Wentworth and Halton, for a period not exceeding thirty days.

BY-LAW No. LXXI.

ON STREETS AND SIDEWALKS.

(Passed May, 31st. 1884.)

WHEREAS it is expedient to consolidate and amend the By-Laws and Regulations relating to the Streets and Sidewalks in the city of Hamilton.

Be it therefore enacted by the Mayor Aldermen and commonalty of the City of Hamilton in Council assembled, "under the Upper Canada Municipal Corporation Acts:"

§ 1. That every person in the actual possession, or having charge of any house, or other building, or piece of land, or any part thereof, in front of which there is or shall be, a sidewalk, shall, by 12 o'clock noon, of each day, except Sundays, clear off and remove all snow and ice from such sidewalk: Provided always, that such snow and ice shall not be thrown into the gutter in front of such sidewalk.

§ 2. That no person shall allow snow or ice to remain on the roof of any building he she or they may occupy; own, or have the charge of, so as to cause any reasonable apprehension of danger therefrom.

§ 3 That no person shall by any animal, vehicle, lumber, building, or other material or thing, or in any way whatever, directly or indirectly, incumber or allow to remain incumbered, or injure or foul any street, square, lane, walk, sidewalk, road, bridge, sewer, or shore, now laid out and erected, or being, or hereafter to be laid out and erected within

the limits of the said City and liberties, (except as hereinafter provided with respect to buildings and building materials,) without a license from the City Council for such purpose.

Shavings,
Pairings, &c.,
not to be cast
into any street,
&c.

§ 4. That no person shall cast or throw, or cause to be cast or thrown, into any public streets, squares, lanes, walks, sidewalks, roads, bridges, ditches, gutters, drains, or sewers, within the City or liberties, any earth, shavings, parings of leather, tin, wood, stones or rubbish, or cause any obstruction, nuisance or injury in or to the same.

Firewood not
to be placed on
any sidewalk,
&c.

§ 5. That no owner or occupant of any building shall cause or permit any firewood, to be placed or remain on any side or cross walk, opposite or adjoining his lot, nor shall he suffer the same to be placed or remain in the street opposite his house or lot, further than five feet from the outer edge of the sidewalk, and then only for the purpose of being sawed or cut, and not to remain more than twenty-four hours.

Auctioneers
shall not ex-
pose or sell on
sidewalks, &c.

§ 6. That no Auctioneer shall, by himself or agent, sell, or expose for sale at auction, any goods, wares, or merchandise, upon any sidewalk, or in any street, alley, or public place in the city, nor shall any such Auctioneer, or his agent or servant, or other person, sell any such goods, wares, merchandise, or other things to any person or persons, who at the time of bidding for the same shall be on the carriage way or sidewalk of any of the streets of the City. Provided always that this Section shall not apply to horses, carriages, or cattle which may be sold in the carriage way of the streets.

§ 7.. That from and after this date, it shall ^{Building material may be put in the streets.} and may be lawful for any person or persons, owning or being in possession of a lot or parcel of ground in said City, and wishing to build, to lay building materials in the public streets or highway, in front of said lot or piece of land, so that the same shall not occupy over one-half of the width of the said street, exclusive of both sidewalks; and so that the same do not impede or incumber, or block up either, or any sidewalk gutters, or the place where the sidewalk should be; and provided also, that said materials do not extend either way in said street further than the frontage of land so occupied or owned by the person depositing said materials, without the consent of the persons owning on the two sides; or in case that is refused a special permission granted on a regular application to the City Council; And provided also, that if the party owning on the opposite side of the street wishes to build at the same time, each party shall, in that case, be restricted to the use of one-third of said street instead of the half; which street, in the way aforesaid, they may peaceably and lawfully occupy for such reasonable time as may be necessary to complete said building or buildings.

§ 8. That it shall and may be lawful for ^{To erect area walls, &c.} any person or persons hereafter building in the said city, or who have already got buildings in said city, to excavate in front of their said buildings or lots, so as to erect area walls and procure areas for basement stories, said areas not to exceed eight feet in the clear, exclusive of the walls, and to be well and substantially covered with such timbers and ma-

materials as to render the footways safe and secure.

Excavations.

§ 9. That each and every person who shall excavate for the erection of walls, or for any other purpose, in or near the sidewalk, or in or near any other place frequented by the public, shall put up a good protecting rail or plank, to prevent harm to individuals or to the public, and shall complete said walls with all possible and reasonable despatch.

Displacing planks, &c.

§ 10. That each and every person who shall have occasion to displace any plank or part of a sidewalk in this city, for the purpose of building or repairing buildings, or for any other needful purpose, may do the same without being liable to action, provided he speedily and substantially refit the same; and every person injuring the sidewalk by taking the same up, or by passing it with teams or otherwise; or in building or repairing, or removing buildings, or in any way whatever, shall be liable to pay the full expense of repairing the same together with fine and costs, if he shall neglect to repair the same in a proper and reasonable time after so injuring or displacing thereof.

Building materials.

§ 11. That no person shall manufacture building materials in any street or lane within the city, unless specially permitted so to do by the City Council.

Hanging gates.

§ 12. That no person shall hang any gate or door, or allow any gate or door to remain hung so as to swing over any sidewalk, street road or lane, within the city.

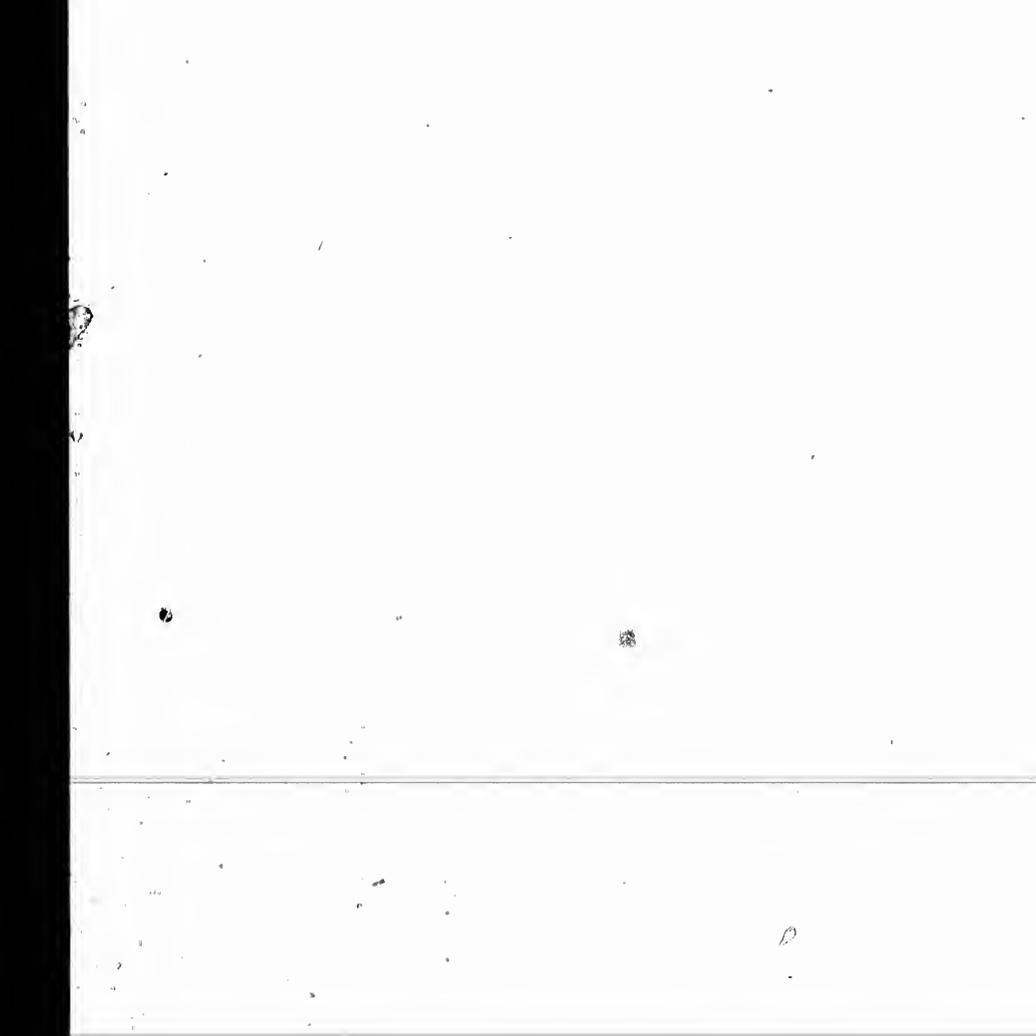
Door-steps, railings, &c.

§ 13. That the City Council shall and may at any time after the passing of this By-Law,

by resolution under the seal of the city, authorize and direct the City Surveyor or other officer of the city of Hamilton, to remove and take away any door-steps, porches, railings or other erections, projections, or obstructions whatsoever, which may project into or over any public street, lane, alley, square or road in the city of Hamilton or liberties thereof.

§ 14. That every person who may under the 7th Section, lay building materials in the streets, shall cause all the timber, building materials and rubbish arising therefrom to be removed from such streets when ordered so to do by resolution of the City Council, under a penalty not exceeding five pounds, for every twenty-four hours the timber, materials, or rubbish shall be and remain in such street after a copy of the order to remove the same shall be served on such person, or left at his dwelling house. Removal of rubbish, &c.

§ 15. That all proprietors, or occupants, or person or persons having charge of any house or building in the city, having cellar-doors made in the foot-path, or sidewalk, opposite their premises, shall constantly keep the side-doors in good repair, and shut after dark, nor leave the said cellar-doors open in the day time for any greater length of time than may be reasonably sufficient for filling into or out of the same such goods, wood or effects as may be intended to be introduced into or taken out of such cellar; and during the time the said cellar door shall remain open in the day time for the purposes aforesaid, it shall be the duty of the proprietor or occupier of said premises, to put on each side of the opening of such cellar door a sufficient guard, to Cellar doors, foot-path, to kept in repair.



be at least three feet high, so as to protect passengers from injury, under the penalty hereinafter mentioned, to be recovered from the proprietor, occupier, or person or persons having charge of any such house or building.

Ornamental trees.

§ 16. That it shall and may be lawful for any person or persons who may be desirous of planting ornamental trees in any street within the city of Hamilton, to make application in writing to the Standing Committee on Streets and Sidewalks, appointed by the City Council for the time being, for permission to plant such trees, and for such person or persons, after having obtained such permission, to proceed to plant the same.

Standing Committee on Streets.

§ 17. That all such ornamental trees shall be planted under the direction and superintendence of the Standing Committee on Streets and Sidewalks, or such officer as they may appoint to attend to that duty in that behalf.

Defacing or injuring trees.

§ 18. That any person who shall wilfully or maliciously injure, deface, or otherwise destroy any ornamental tree or trees that is are, or hereafter may be planted in any street of the said city, shall, upon complaint and conviction thereof, be fined a sum not less than ten shillings, and not more than five pounds, with costs, to be levied of his, her, or their goods and chattels; and in the event of sufficient goods and chattels not being found, to be imprisoned for a period not to exceed thirty days.

Ringing bells.

§ 19. That no person shall ring a bell or blow a horn, or shout, or make other unusual noises in the streets, or other public place, without a lawful or reasonable cause.

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§ 20. That no person shall ride or drive <sup>Riding or driv-
ing on side-
walks.</sup> on any sidewalk or permit any horse or ve-
hicle to stand on any sidewalk or crossing or
leave any horse or horses in any street, lane,
or alley untied, or fasten any horse in any
street or lane, so that such horse, or the lines
with which the horse is fastened, shall obstruct
the passage of persons on any part of any
sidewalk, or drive with a sleigh without at
least two bells attached to the harness, or ride
or drive, or cause, or permit to be rode or
driven any horse or horses or cattle in any of
the public ways, streets or lanes of the city at
an immoderate rate, or without proper cau-
tion against doing injury to foot passengers.

§ 21. That it shall and may be lawful for <sup>Street Inspec-
tor to arrest.</sup> the street Inspector or any of the City Con-
stables to arrest any person or persons com-
mitting any breach of the preceding section,
and to carry him or them before the Mayor,
Police Magistrate or any of the Aldermen.

§ 22. That no person shall take or exca- <sup>Sand from
Streets.</sup> vate any sand from any street, road or lane
within the city without the permission of the
City Council, first obtained for such purpose.

§ 23. That from and after the passing of <sup>Wooden build-
ings.</sup> this By-Law, no person shall commence to
build, erect or place any wooden building or
buildings, of which the sides or ends shall be
of wood, larger than ten feet square; neither
shall they continue or uphold any such wood-
en building commenced hereafter, in that part
of the City, comprised within the following
limits, viz: Market or King William Streets,
on the north; Mary and Walnut Streets on
the east; Brougham and Main Streets, on the

south ; and Bowery and Bay Streets, on the west ; and no building within the above limits, shall be covered with shingles, from and after the passing of this By-Law without a good coat of mortar, half an inch thick, being laid on the roof boards directly under the shingles.

Wooden buildings.

§ 24. That no person shall commence to build, erect or place any wooden building larger than ten feet square, neither shall they continue or uphold any such wooden building commenced hereafter, in that other part of the City comprised within the following limits viz: Vine and Gore Streets on the north ; Mary and Walnut Streets, on the east ; Tyburn Street and Maiden Lane, on the south ; Bowery and Bay Streets, on the west ; unless such building be lathed and plastered on the outside, with three good coats of mortar or with two such coats of mortar and one of rough-cast, or stucco ; with a coat of mortar not less than half an inch thick, on the roof boards, immediately under the shingles

Party walls.

§ 25. That any person who shall hereafter erect any building or buildings in this city of stone or brick shall make the party walls not less than one foot thick in the clear, if brick, and two or more stories high ; and not less than eighteen inches, if of stone, and two or more stories high ; and shall so arrange the joists as to prevent their communicating fire through the wall : That is, the joist holes shall not extend over half through the wall on, either side, and shall not correspond, but be at least four inches in the clear, the one from the other.

Breaking lamps, &c.

§ 26. It shall not be lawful for any person or persons carelessly or maliciously to break,

deface, or in any way injure or destroy any of the gas lamps, or lamp posts in this city, nor to light or cause to be lighted, or put out or cause to be put out, or to turn the stop cock of the same, unless duly authorized to do so, nor to hang or place any goods or merchandise of any description on any of the said lamps or lamp posts for the purpose of sale or for any other purpose, nor to place any goods, boxes, wood, or other heavy material against the same, nor to climb upon or hitch any horse or horses, or any other animal to any of the same, under the penalty hereinafter mentioned.

§ 27. That all By-Laws and parts of By-Laws relating to streets and sidewalks be and the same are hereby repealed; provided always that any proceedings against any person or persons for a breach of such By-Laws or parts of By-Laws committed before the passing of this By-Law shall be valid, and the party or parties shall on conviction be liable to the penalties in such By-Law contained.

§ 28. That any person violating this By-Law or any section thereof, shall upon conviction before the Mayor, Police Magistrate, or any of the Aldermen, be liable to a fine not exceeding five pounds, and costs, or in default of payment to be imprisoned for a term not to exceed thirty days.

BY-LAW No. LXXII.

ON NUISANCES.

Passed May 31st, 1852.

WHEREAS it is expedient and necessary to amend and consolidate the By-Laws, and

Rules now in force for the prevention and suppression of nuisances in the City of Hamilton,

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Hamilton, in Council assembled, under the Upper Canada Municipal Corporations Acts :

Indecent writings, figures, &c.

§ 1. That no person shall write any indecent or immoral words, or make any indecent or immoral figure or representation on any wall, board, fence, or on any other thing in any place open to public view or of common resort, or indecently expose himself or herself or his or her person, or be drunk, make use of profane swearing or obscene language, or commit any other species of immorality or indecency in the streets or other place.

Disturbances.

§ 2. That no person shall engage in a charivari or other like disturbance of the peace.

Cruelty to animals.

§ 3. That no person shall excessively beat or cruelly and inhumanly treat any animal.

Apprentices and servants.

§ 4. That no person shall sell, any intoxicating drink to any child, apprentice or servant, with the knowledge of the apprenticeship or service, without the consent of the legal protector of such apprentice or servant, nor keep a low tippling house, visited by dissolute and disorderly characters.

Bathing.

§ 5. That no person shall bathe in the Bay in front of the City within eighty rods of any house, wharf or place of business or common resort.

Soliciting passengers.

§ 6. That no person shall solicit or tease passengers or others to travel in any boat, stage or vehicle.

§ 7. That no person shall fire any gun or ^{Firing guns.} other fire arms, or fire or set off any fire ball, squib, cracker or fire works within the City.

§ 8. That any person who shall keep a ^{Gambling houses.} gambling house shall be liable to the penalties hereinafter mentioned, and the Mayor or any one of the Aldermen, or any acting City Constable may enter into such gambling house and seiza and destroy Rouge et Noir tables and other devices for gambling.

§ 9. That it shall be the duty of every res- ^{Privy on lot.} ident owner of every inhabited lot in the City and of the occupant of every lot, when the owner thereof is a non-resident, or the agent thereof, to provide and keep upon such lot a convenient necessary, with a vault at least six feet deep; any person violating the provisions of this section, shall forfeit and pay a penalty of ten shillings for every twenty-four hours he or she shall neglect to provide such necessary; Provided ~~always~~, that no person or persons shall after the passing of this By-Law, erect any privy, cess-pool, or hog-sty, without having first obtained permission from the constituted authorities, near any fence adjoining the sidewalks on any street within the City, nor shall he, she, or they permit any filth or offensive matter to run from any place within their premises over or under any sidewalk, gate or entrance, or into the streets, lanes, alleys, courts or public squares of the City, or be subject to the pains and penalties hereinafter mentioned.

§ 10. That from the time last aforesaid, no ^{Tubs not to be removed from privy, &c.} tub or other receptacle shall be removed from any privy, vault, sink or cess-pool, or any of

fensive matter or dead carcase, except between the hours of ten at night, and five in the morning, under the penalty hereinafter mentioned for each offence, nor shall any person under the like penalty, empty, cart, or lay the contents of any such tub, or other receptacle out of any privy, sink, vault or cess-pool, within the limits of this City, or in any street, alley, or public square.

Nuisances in cellars and buildings, &c., may be removed by Board of Health, &c.

§ 11. That from and after the passing of this By-Law, it shall be lawful for the said Council, or, the Board of Health for the time being, to direct and authorize any of the City Constables or other suitable person, to enter in the day time and examine into any building of any kind, cellar, lot of ground, alley, sink, cess-pool, vault or privy, which he or they may have reason to believe are foul, incumbered with rubbish, damp, sunken and ill constructed, and may direct the cleansing, altering, amending, filling, or draining the same, and the removal of all nuisances in and about the same, by the owner or occupant of any building, lot, cellar, sink, vault, cess-pool or privy: any person who shall refuse to comply with the direction of the said City Constable or other suitable person duly appointed by the authority aforesaid, in their behalf, shall forfeit and pay the penalty hereinafter mentioned, for each offence, and the said Council or Board of Health, shall have authority, at their election to enforce and execute the directions so given at the expense of the owner or occupant as a penalty; provided such expense does not exceed the sum of five pounds.

Depositing of dead animals, &c.

§ 12. That any person who, after the passing of this By-Law, shall deposit or cause to

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be deposited, any dead animal, fish or putrid meat, entrails, broken bottles, decayed vegetables, or any offensive substance, in or upon any public street lane or alley, or above the surface of the ground on any lot, or shall deposit any dead animal or putrid carcase, or any other substance which is now or shall hereafter be prohibited from being deposited in any of the streets, lanes or alleys, in the said City, or any owner, possessor, or occupant of any lot, or the owner, occupier, or tenant of any house, building or cellar who shall suffer or permit any stagnant or filthy water, or putrid or unwholesome meats, decayed vegetables, or other offensive substance to remain on his or her lot, or in his or her house, or other building or cellar owned or occupied by him or her or in his or her charge within the limits of this City, he, she or they, shall forfeit and pay a penalty as hereinafter mentioned; for each offence, and shall also pay to the City of Hamilton, the expense and charge which the said Corporation shall be put to in removing or abating any such nuisance, and the Mayor or Police Magistrate, or any one of the Aldermen, with the City Constable, or any person or persons in aid of him or them may, at any time in the day time, enter into or upon any house, out-house, cellar or other place, and remove or abate such nuisance in such manner as he or they should judge best: and any person obstructing or hindering such Mayor; Police Magistrate, Alderman, member of the Board of Health, Constable, or person called in aid, in his or their duties as herein set forth, shall forfeit and pay a penalty not exceeding five pounds.

§ 13. That from and after the passing of *Manures, &c.*

this By-Law, all persons keeping horses shall put up the manure in heaps, and shall remove the same at least every spring and fall, and oftener if the Health Officer shall deem it a nuisance, but where hogs are kept and the manure heap is in common, then the same shall be removed monthly and that all pig-sties be cleansed weekly, or be considered and treated as a nuisance, with the penalties attached as set forth in section 12th of this By-Law.

Cemetery, &c.

§ 14. That no person or persons shall hereafter inter any corpse, in any cemetery or other place in the said City, unless in vaults or graves at least five feet deep, and without removing disturbing, or exposing any other body, or coffin, under the penalty hereinafter mentioned, for each offence.

Officers of city.

§ 15. That hereafter it shall be the duty of the City High Bailiff and City Constables, to aid and assist to carry into effect the provisions of this By-Law.

Tax on dogs.

§ 16. That a tax of five shillings shall be imposed on the owner or owners, harbourer or harbourers residing within the said City, of every dog exceeding the age of six months except one dog owned by any farmer within the said City.

Owners of dogs.

§ 17. And that such owners and harbourers of dogs shall put and keep collars on such dogs with the name of such owner engraved on the outside of the said collar, and that it shall be lawful for the said City Council by resolution to order the destruction of, and for the City Constables or any other inhabitant of said City to destroy any such dog or dogs found running at large within the City not

claimed by any person as the owner thereof, after a proclamation signed by the Mayor shall have been published two days.

§ 18. And that it shall be lawful for the Mayor by such resolution of the Council to issue his proclamation ordering that dogs shall not run at large during the times mentioned in such proclamation, and that every owner or harbourer of any dog running at large contrary to such proclamation, shall be liable to be fined a sum not to exceed five pounds for each breach of such proclamation to be recovered with costs upon complaint and conviction before the Police Magistrate, Mayor or any of the Aldermen of the said City. ^{Proclamation.}

§ 19. That it shall not be lawful for any person or persons to keep any house or houses of Ill-fame within the City of Hamilton under a penalty not to exceed five pounds for every breach of this By-Law, to be recovered with costs by complaint and conviction before the Mayor, Police Magistrate, or any one or more of the Aldermen of the City. ^{Houses of Ill-fame.}

§ 20. And be it further enacted by the authority aforesaid, that any person or persons inhabiting or frequenting any house or houses of Ill-fame within the City, shall upon conviction thereof as aforesaid be subject to the penalty hereinafter mentioned. ^{Persons frequenting such houses.}

§ 21. That all common prostitutes or night walkers wandering in the streets and highways of the said City or Liberties, not giving a satisfactory account of themselves, shall be deemed vagrants, vagabonds and disorderly persons within the meaning of this Act. ^{All night-walkers, prostitutes.}

Indecent
exhibitions,
beggars.

§ 22. That all persons openly exhibiting or exposing in any street, road, or public place in the said City or Liberties, any indecent exhibition; and all persons wandering abroad, or placing themselves in streets, public places, highways, courts, or passages, 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 or deformities to effect the same purpose; and all persons who shall be apprehended in or upon any dwelling-house, ware-house, coach-house, stable or out-house, or area, or in any enclosed yard, garden, or place within the said City or Liberties, and shall not be able to give a satisfactory account of themselves; and all persons imposing or endeavoring to impose upon any persons, or charitable institution, 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 vagrants, mendicants or beggars with- in the true intent and meaning of this Act.

Impostures.

Drunkards.

§ 23. That all persons who shall be found drunk in any street, highway, lane, or public place in the said City or Liberties, shall be liable to arrest and punishment under this Act, in the same manner as is provided in the cases of vagrant, vagabond and disorderly persons.

Constables
to arrest
vagrant,
drunkards,
&c., &c.

§ 24. That if any vagrant, drunken, or disorderly person shall be found offending against this Act, it shall and may be lawful for any Constable, or any other person whatsoever, without any warrant for that purpose, to apprehend such person so found offending, and carry and convey, or cause to be carried and

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conveyed, such person, when so apprehended, before the Mayor, Police Magistrate or any Alderman of the said City, or to the nearest Police station, there to be kept until such person so apprehended can, with all convenient speed be brought before the Mayor, Police Magistrate, or some Alderman of the said City.

§ 25. That when any vagrant, vagabond, ^{Vagrants, &c.,} drunken, or disorderly person, mendicant or ^{to be examined,} street beggar, shall be apprehended by any person as aforesaid, and brought before the Mayor, Police Magistrate or any Alderman of the said City, it shall and may be lawful for the said Mayor, Police Magistrate or Alderman to examine the person or persons apprehended, and to take the evidence upon oath of any person as to the matter alleged and charged against the person or persons so apprehended; and if such matter be proved, to fine such person or persons so apprehended any sum of money not exceeding five pounds and costs, and in default of payment of said fine, to commit such person or persons to the common gaol, for a period not to exceed thirty days.

§ 26. That from and after the passing of ^{Repealing.} this By-Law, all By-Laws and parts of By-Laws for the prevention and suppression of nuisances shall be, and the same are hereby repealed; Provided always, that every proceeding against any person or persons for a breach of such By-Law or parts thereof, committed before the passing of this By-Law, shall be valid, and the person or persons shall, on conviction, be liable to the penalties herein contained.

Fine and
Punishments.

§ 27. That any person violating this By-Law, or any section thereof, shall, upon conviction before the Mayor, Police Magistrate or any of the Aldermen, be liable to a fine not exceeding five pounds and costs, or in default of payment to be imprisoned for a term not to exceed thirty days in the gaol of the United Counties of Wentworth and Halton.

BY-LAW No. LXXVII.

ON POUND, POUND-KEEPER, FENCES, ETC.

(Passed September 1st, 1852.)

WHEREAS it is necessary to reduce into one Act, the several By-Laws now in force relating to the Pound, Pound-keeper, Fences, &c., in the City of Hamilton :

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled, under the "authority of the Upper Canada Municipal Corporation Acts."

Appointment
of Pound-keep-
er.

§ 1. That the City Council shall and may, from time to time appoint a responsible person to serve the office of Pound-keeper, who shall hold his office during the pleasure of the Council.

Horses, Cattle,
&c., not allow-
ed to run at
large.

§ 2. That it shall not be lawful for any person to allow his, her, or their cattle, horse or horses, sheep, goats or swine to run at large within the city of Hamilton or the Liberties thereof, but it shall be lawful for cows, not breachy, to run at large from the 1st of April to the 1st of November, every year.

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§ 3. That it shall and may be lawful for any Pound-keeper of the City, duly appointed as aforesaid, and on receiving notice thereof, and he is hereby required to impound all horses, cattle, sheep, goats and swine that shall trespass on the land of any person or persons (being enclosed by a lawful fence) within the City or liberties thereof; and also to impound all horses, oxen, bulls, sheep, goats, asses, geese and swine, that shall be found running at large within the limits of the City, and to detain such horses, horned cattle, sheep and swine, until the owner or owners thereof shall have paid, over and above any claim for damages for the trespass and the penalty, the sums following—that is to say: for every horse or head of horned cattle, one shilling and three pence each; for every sheep, three pence; and for every hog, one shilling and three pence; which sum shall go to the pound keeper as his fees for impounding the same.

Pound-keeper
to impound all
horses, &c., &c.

§ 4. That whenever any horses, horned cattle, sheep, goats or swine which have been trespassing or running at large, contrary to this law, shall be impounded, it shall be the duty of the pound-keeper to feed the same (but not until they have been impounded twelve hours) and for so doing, he shall be entitled to demand and receive the following allowance, over and above his fees as Pound-keeper—namely: for every horse, one shilling and three pence per day; for every head of horned cattle, one shilling per day; for every sheep or goat, six pence per day; and for every hog, six pence per day; for turkeys and geese, three pence; geese to be sold in eight days.

The Pound-
keeper to feed
Cattle, &c.

Allowed for
food.

Notices to be
affixed in four
places.

If owner does
not redeem
distress to be
sold in 15 days.

§ 5. That in all cases the pound-keeper shall, within forty-eight, and not before twenty-four hours, after the distress shall have been impounded, cause notice thereof in writing to be affixed on the pound gate, and in three other most of the conspicuous parts of the city which notice shall give a particular description of the distress, and shall specify when and where the same is to be sold; and if the owner of such distress, or some other person in his or her behalf, shall not within fifteen days after the same shall have been affixed redeem the same, by paying the charges of the pound-keeper, and the penalty and damages, if any, it shall and may be lawful for such pound-keeper to cause such distress to be sold, and, after deducting his legal charges, to pay the damages, if any, to the person entitled thereto, and the penalty to the Chamberlain of the city for city purposes, and the overplus, if any, to the owner or owners of such distress, if known; if not known, to the Chamberlain; and if not claimed within three months after being received by the Chamberlain, to be applied by him to City purposes.

§ 6. That if the owner of any distress taken damage feasant, or any person on his or her behalf, shall appear, and shall dispute the amount of damages claimed, it shall and may be lawful for the pound-keeper to summon three disinterested freeholders or householders to assess the damages; and if the three persons shall not agree, the determination of a majority of them shall be conclusive as to the damages, and they shall give in writing to the pound-keeper a statement of the amount of the damages so assessed by them, and proceed according to the provisions of the Act 1st Victoria, chap. 21.

§ 7. That when any horses, horned cattle, sheep, geese, asses, goats, or swine, taken running at large within the City, contrary to law, shall be impounded, it shall be the duty of the pound-keeper forthwith to give notice to the High Bailiff of such distress, and of the name or names of the persons who delivered the same at the pound, in order to the recovery of the penalty imposed by this law.

§ 8. That the owner of each and every horse, ox, bull, sheep, goat, or swine, taken running at large in the City, shall pay the following penalties, over and above the charges of the pound-keeper—(that is to say) for every stallion, the sum of two pounds; for every other horse, mare, gelding, or ass, three shillings and nine pence; for every bull, ten shillings; for every ox, three shillings and nine pence; for every sheep, two shillings; for every hog, five shillings; and for every goose, nine pence; to be recovered before the Police Magistrate, or any one of the Aldermen of the city, either upon confession of the parties complained of, or upon proof upon the oath of one or more credible witnesses.

§ 9. That it shall not be lawful for any person or persons, between the first day of November and the first day of April, to suffer his, her, or their horned cattle to run at large in any part of the city or liberties.

§ 10. That it shall and may be lawful for any one to drive any horned cattle so found running at large within the limits, in the last mentioned clause described, to the pound; and it shall be the duty of the pound-keeper to impound the same until the penalty of two shillings and six pence, be paid, over and above

Notice to High Bailiff of such distress, &c.

Penalty.

Cattle not to run at large between 1st Nov. and 1st April.

Any one may drive Cattle to Pound.

Penalty 2s 6d.

the pound-keeper's fees and charges, as allowed by the third clause, and the pound-keeper shall proceed in the same manner with such distress, and pay over the penalty as is directed by the third, fourth, and fifth clauses of this Act.

Pound-keeper's fees in addition.

§ 11. That the pound-keeper shall be allowed, over and above the fees mentioned in the third and fourth clauses of this Act, the following fees (that is to say :) for posting the requisite notices, one shilling and three pence ; for attending for the summons, and serving the same on the appraisers of damages, as by the sixth clause is provided, two shillings and six pence ; and for every sale of distress, one shilling and three pence, and no more.

Pound-keeper to procure a book and enter therein the description, &c.

§ 12. That it shall be the duty of the pound-keeper to procure a book, in which he shall enter the number and description of every animal impounded by him, with the name of the person who took or sent the same to be impounded ; the day on which he received the same ; the day on which the same was redeemed ; and the amount of damages, or penalty, and fees paid by the party redeeming the same, or the proceeds of the sale (if any made ;) and shall, on or before the first day of August and the first day of February in each year, make a return to the Chamberlain, in writing, of the number and description of all distresses received by him during the half year ending on the first day of July and January preceding such return ; with the names of the persons taking the same to the pound ; the day received by him ; amount received, and when, on redeeming the same ; and any other information he may deem necessary ;

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RETURN

which return shall be verified upon oath, and shall be in the following form, as near as may be:—

RETURN
Of the Pound-keeper for the Pound, for the half-year ending the day of—18—

Day received by the Pound-keeper.	Description of Distress.	For what cause Impounded.	By whom brought to Pound.	Amount received as Damage or Penalty.	Amount received for Fee.	Share of Penalty paid to Chamberlain.	Share paid to person bringing the same.	Overplus paid to Chamberlain.	Remarks.
10th June, 18—	3 Cows.	Running at large.	T. Jones	£ 7 6 0	£ 3 9 0	£ 3 9 0	£ 3 9	£	June 10, by I. Dor.
12th June, 18—	2 Horses.	Trespassing.	R. Rae.	£ 2 0 0	£ 0 2 6	£	£ 2 0 0	£	June 12, by S. Dor.
17th June, 18—	2 Hogs.	Running at large.	J. Oates.	£ 0 10 0	£ 0 6 3	£ 0 5 0	£ 0 5 6	£ 1 10 0

J S., Pound-keeper for the..... Pound, maketh oath and saith that the above Return is correct and true.
Sworn before me,
(Signed,) A. B., Alderman.
(Signed,) J. S., Pound-keeper.

Half-yearly returns and Pound-keeper's book shall be produced for inspection.

§ 13. That the pound-keeper shall, when making his half-yearly return, pay over to the Chamberlain all the moneys received by him during the half-year, which are directed by this Act to be paid to the Chamberlain; and moreover, that the said pound-keeper shall at all times produce his book for the inspection of any member of the Corporation, upon request to him made for the purpose.

Owner or agent of any distress may lodge complaint for any injustice done to the distress, or for unlawful charges.

§ 14. That it shall and may be lawful for the owner, or the agent of the owner of any horse, horned cattle, sheep, goat, or swine, as the case may be, to lodge a complaint before the Mayor, any Alderman of the said city, or Police Magistrate against any pound-keeper, for any injustice which said owner or agent may deem to have been done to him, regarding the feeding, or any unlawful charges made by said pound-keeper, and should such complaint be proved to the satisfaction of the Mayor, Alderman, or Police Magistrate, it shall be lawful for him or them to impose a fine upon such pound-keeper, not exceeding five pounds for every such offence, or to suspend such pound-keeper until the pleasure of the Council shall be known thereon.

Bond.

§ 15. That every pound-keeper, before entering upon the duties of his office, shall give a bond, with two sufficient sureties, with a penalty of twenty pounds upon each, conditioned that the said pound-keeper shall well and faithfully discharge the duties of his office, and shall regularly pay over all moneys which may come into his hands as pound-keeper for that purpose.

A lawful fence.

§ 16. That a fence made of rails either staked or ridered, or locked at the corners,

being not less than five feet high ; and a fence made of boards and posts, four feet high shall be deemed and be a lawful fence ; and that the Police Constables of the city shall be the fence viewers in the city of Hamilton and the liberties thereof, and shall act as such.

§ 17. That any person guilty of any infraction of any of the provisions, sections, or clauses of this By-Law, shall, upon conviction thereof, forfeit and pay a sum of money not to exceed five pounds, and in default of payment, shall and may be committed to the common gaol of the United Counties of Wentworth and Halton, for a period not to exceed thirty days.

BY-LAW No. LI.

ON RAILROAD STOCK.

To authorize the Subscription of £100,000 Stock in the Great Western Railroad Company.

(Passed 23rd June, 1852.)

Whereas by an Act passed in the present Session of Parliament, entitled "An Act to empower Municipal Corporations to subscribe for stock in the Great Western Railroad Company, or otherwise to aid in completing that undertaking," the Common Council of the city of Hamilton are authorized to subscribe for any number of shares in the capital stock of the said Company, and to issue Debentures payable at such times and for such sums, with or without interest, as the said Council shall think meet.

Act authorizing Corporations to subscribe for Stock.

Consent of
majority of
qualified
Electors.

And whereas the said Council, by and with the consent first had and obtained of a majority of the qualified electors of the said city of Hamilton, present at a meeting duly called for that purpose, by public advertisement, containing a copy of this By-Law, in the manner by the said Statute provided, have agreed to subscribe for 4000 shares in the capital stock of the said Company.

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the city of Hamilton, by and with such consent so obtained, as aforesaid :

Mayor to
subscribe for
4000 shares.

§ 1. That the Mayor be authorized, and he is hereby authorized and empowered, to subscribe for and on behalf of the City Council, for 4000 shares in the capital stock of the said Company.

Mayor to issue
Debentures.

§ 2. And be it enacted that the Mayor for the time being, shall have power, and he is hereby authorized and required, from time to time to issue debentures in payment thereof, in sums not less than £25, in the same proportions; and at the same times as the calls upon the stock shall be made answerable in the case of other shareholders.

To bear
interest.

§ 3. And be it further enacted that the said Debentures shall bear interest from the date thereof, at and after the rate of 6 per cent. per annum, payable at the office of the Chamberlain, half-yearly, on the first day of May, and the first day of November in each year, and shall be signed by the Mayor, and countersigned by the Chamberlain, and shall have coupons attached thereto, for the said

Interest pay-
able May 1st
and Nov. 1st.

interest, initialed by the Mayor and Chamberlain.

§ 4. And be it enacted that the Debentures ^{Debentures to} so to be granted shall be payable as follows: ^{be issued.} that is to say:—

The sum of £2500 on the first day of November, 1856, and a like sum in each year thereafter, until the first day of November, 1860, inclusive.

November 1st, 1861, the sum of.....	£3000.
" " 1862, "	4000.
" " 1863, "	5000.
" " 1864, "	6000.
" " 1865, "	7000.
" " 1866, "	12,500.

§ 5. And be it enacted that for the pay-^{Special rate.}ment of the said debt there shall be levied and raised upon the whole rateable property within the said city of Hamilton, and the liberties thereof, a special rate in each year, over and above and in addition to all other rates whatsoever, as follows, that is to say: In each year until the year 1855 inclusive, a rate of 1s. in the pound; during the years 1856, 1857, 1858, 1859, 1860, a rate of 1s. 3d. in the pound; during the years 1861, 1862, 1863, 1864, 1865, a rate of 1s. 6d. in the pound; during the years 1866, 1867, 1868, 1869, a rate of 2s. in the pound; and in the year of our Lord 1870, if the said debt shall not have been paid and discharged previously, a rate of 6s. 4d. in the pound.

§ 6. Provided always, and it is hereby en-^{Proviso.}acted that the City Council shall not at any time or times hereafter sell or dispose of the said shares, or any of them, except for the purpose of buying in or liquidating said De-

debentures, or otherwise securing the due payment thereof.

A portion only of Debentures to be issued.

§ 7. And provided also, that until the whole of the said Debentures shall issue, there shall be so levied and raised in each and every year, for the payment of the Debentures actually issued, a portion only of the said rates hereby settled, to be levied and raised, bearing such a proportion to the rates hereinbefore settled, as the Debentures actually issued shall bear to the full amount authorized to be issued.

BY-LAW No. L

ON THE DEBT OF THE CITY.

A By-Law to provide for the gradual extinction of part of the Debt of the City of Hamilton.

(Passed March 20, 1850.)

City debt
£18,527 18s

Whereas the debt, bona-fide due by the city of Hamilton, on the first day of January, 1849, amounted to the sum of eighteen thousand five hundred and twenty-seven pounds nineteen shillings and eight pence; and whereas it is expedient and necessary to provide for its gradual extinction:

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the city of Hamilton, under the authority of the Act 12 Vic., Chap. 81, and with the approval of His Excellency the Governor General of this Province in Council.

Debentures to be issued.

§ 1. That it shall and may be lawful to issue Debentures in sums of not less than twen-

ty-five pounds, to the holders of securities, issued by the city of Hamilton, for debts incurred prior to the 1st day of January, 1849, and to other parties willing to advance money to liquidate the same: Provided always, that the amount aforesaid, shall be actually diminished by the partial payment of the same, at the rate of one thousand pounds yearly, until the whole is fully paid. Proviso.

§ 2. That all Debentures issued under authority of this By-Law shall bear interest at the rate of six per cent. per annum, payable half yearly, and shall be signed by the Mayor, sealed with the City Seal, and countersigned by the Chamberlain, and shall be made payable at such terms as may be agreed upon with the parties: Provided always, that the amount of the debt shall be reduced as aforesaid, by the annual redemption of one thousand pounds. Debentures to bear six per cent., payable half-yearly. £1,000 reduction annually.

And whereas, the sum of five thousand seven hundred and seventy-five pounds and fifteen shillings, was outstanding on the first day of January, 1850, in Corporation Notes or Debentures, of the value of five shillings and ten shillings each, payable one year after date. £5,775 15s in Corporation notes, outstanding 1st Jan., 1850.

Be it also enacted by the Mayor, Aldermen and Commonalty of the city of Hamilton under the authority aforesaid,

§ 3. That it shall and may be lawful to issue in the place of the said Notes as they shall fall due, when the holders thereof are willing to receive the same in exchange, other Notes to an amount not exceeding, in the present year, the sum of £5,500, and in each Notes to be issued.

Reduction of
£250 yearly.

succeeding year an amount less by £250 than the amount issued in the year immediately preceding it, until the whole amount of the said Notes are fully redeemed and paid, and that said Notes shall be signed by the Mayor and countersigned by the Chamberlain.

[Approved of by His Excellency the Governor General in Council, 3rd April, 1850.]

BY-LAW No. LXXIII.

ON THE GREAT WESTERN RAILROAD COMPANY.

(Passed 23rd June, 1852.)

£50,000.

Whereas, this Municipality subscribed for four thousand shares or one hundred thousand pounds, in the capital stock of the Great Western Railroad Company, subject to the condition (under a resolution of said Company) that only fifty per cent., or, fifty thousand pounds, would be called in and payable.

Whereas, by a subsequent resolution of the said Railroad Company, the Shareholders were called upon to reduce their shares one half.

Whereas, this Corporation has issued its Debentures to the extent of fifty thousand pounds, being fifty per cent. upon the stock held in the said Great Western Railroad Company.

And whereas, it is desirable to consolidate said stock, by reducing the same to two thousand shares.

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It is therefore expedient to amend By-Law No. 51, entitled a By-Law "*To authorize the subscription of One Hundred Thousand Pounds Stock in the Great Western Railroad Company,*" by reducing the said stock to fifty thousand pounds.

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the city of Hamilton in Council assembled, "under the Upper Canada Municipal Corporations Acts," and it is hereby enacted, That the number of shares subscribed for, under and by authority of said By-Law No. 51, be reduced to two thousand shares, and that the stock to be held by this Council, shall be fifty thousand pounds, or two thousand shares paid up stock.

Reduction to two thousand shares or £50,000.

BY-LAW No. LXI.

CENTRAL SCHOOL.

To authorize the issue of Debentures for the erection of a Central School, and for other purposes.

(Passed 28th May, 1851.)

Whereas the Board of Trustees for Common Schools of the city of Hamilton, have presented estimates of the cost of the erection of a Central School, amounting to the sum of three thousand two hundred and twenty-one pounds seventeen shillings; and whereas it is necessary to provide for the same, and for other expenses connected with the Schools of this city by the issue of Debentures.

£3,221 17s.

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled, under the authority of Act 12th Victoria, Chap. 81.

Debentures to be issued.

§ 1. That it shall and may be lawful to issue debentures for such amounts as may be from time to time required, for the purposes above named, in sums of not less than £25, and not to exceed in the whole, the sum of four thousand pounds, and that the same shall be signed by His Worship the Mayor, and countersigned by the Chamberlain.

At six per cent.

§ 2. That the said Debentures shall bear interest from the date hereof, at and after the rate of 6 per cent per annum—payable half yearly at the office of the Chamberlain, on the first days of June and December in each year.

Payable 1st December in each year.

§ 3. That the Debentures so to be granted shall be payable as follows, that is to say:

The sum of five hundred and fifty pounds on the first day of December, 1852.

The sum of six hundred pounds on the first day of December, 1853.

The sum of six hundred and fifty pounds on the first day of December, 1854.

The sum of seven hundred pounds on the first day of December, 1855.

The sum of seven hundred and fifty pounds on the first day of December, 1856.

And the sum of seven hundred and fifty pounds on the first day of December, 1857.

Special rate of 2d in the £.

§ 4. That for the payment of the said Debentures, and the interest thereon, there shall be levied and raised upon the whole rateable

property within the said city of Hamilton and the liberties thereof, a special rate of two pence in the pound, over and above, and in addition to all other rates, in each and every year, until the said adventures shall be fully redeemed and commencing with the year 1852.

BY-LAW No. XXXVII.

ON VICTORIA AVENUE.

To extend Victoria Avenue across King St., and through and over the property of Thos. Stinson, Esquire.

(Passed 23rd October, 1848.)

Whereas, the City Council of the city of Hamilton are enabled and authorized, by Recital of the Act of Incorporation. the authority of an Act passed by the Parliament of Canada, intituled "An Act to alter and amend the act incorporating the Town of Hamilton and to erect the same into a City," to stop up, alter, or divert any public highway, street, or lane, or to lay out any new street or highway, or extend any street already laid out:

And whereas, a certain street called Victoria Avenue Victoria Avenue. has been lately laid out and opened, near the east end of the said city of Hamilton, and crossing King Street, in the said city, through a certain survey of city lots, laid out by Hugh B. Willson, Esquire, on both sides of said King Street:

And whereas, Thomas Stinson, Esquire, Piece of Land belonging to T. Stinson. owns a certain piece or strip of land on the south side of the said King Street, lying between the said survey of the said Hugh B.

Willson, Esquire, and intercepting the continuation of the said street called Victoria Avenue :

Extension of
Victoria Ave-
nue.

And whereas, it is expedient and necessary to extend the said street called Victoria Avenue through and over the said piece or strip of land, the property of the said Thomas Stinson, Esquire, as aforesaid, so as to connect and continue the same across the said King Street, and through the said survey of the said Hugh B. Willson :

Authority to
extend said
street.

Be it therefore enacted by the City Council of the city of Hamilton, in Council assembled, by virtue of and under the authority aforesaid, that the said street called Victoria Avenue be, and the same is hereby extended through, upon, and over the said strip or piece of land, the property of the said Thomas Stinson, so as to connect and continue the same across the said King Street, and through the said survey of Hugh B. Willson, as aforesaid, in a direct line, the said Avenue to be continued the said width of eighty feet through the lands of the said Thomas Stinson.

BY-LAW No. LII.

ON CARRIAGES, CABS, CARTS, &C.

(Passed 16th October, 1850.)

Be it enacted by the Mayor, Aldermen and Commonalty of the city of Hamilton, in council assembled, "under the authority of the Upper Canada Municipal Corporations Acts."

No person shall
drive coaches,
cabs, &c. with-
out license.

§ 1. That no person shall, after the passing of this Act, drive any coach, omnibus, cab, carriage, or other vehicle, for the carriage of

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passengers for hire from one place to another, within the limits of the city of Hamilton, and the liberties thereof; nor shall any person drive any sled, cart, truck, dray, or other carriage, for the transportation of any goods, wares, or merchandise, fire-wood, or any other thing whatever, within the boundaries of the said city and liberties, without being licensed so to do by the Mayor or two Aldermen; Provided always, that this By-Law shall not extend, or be construed to extend, to any keeper of a Livery Stable within the said city and liberties, who shall not with his vehicles occupy any of the stands hereinafter named and described.

§ 2. That the Mayor or any two Aldermen, Mayor or two Aldermen may license coaches cabs, &c. may license as a driver of a coach, omnibus, cab or other such vehicle, to be used for the carriage of passengers for hire, or as the driver of a cart, truck, dray, or other carriage, for the transportation of goods, wares, merchandise, fire-wood, or any other thing whatever, within the city of Hamilton and liberties, any one who is of the age of eighteen years and upwards, on his giving proper security for the payment of all penalties for the infraction of this By-Law, and the damages caused by him, and paying for each and every license as follows:

For every coach, omnibus, or carriage drawn by two or more horses, the sum of three pounds.

For every cab, cart, or other vehicle, drawn by one horse, the sum of two pounds.

For every cart, truck, dray, or other such carriage for the transportation of goods, the sum of one pound ten shillings.

Provided always, and it is hereby declared to be the true intent and meaning of this By-law, that one license as aforesaid, shall not authorize any person to drive more than one vehicle, either for the carriage of persons or the transport of goods, as the case may be.

Bond.

§ 3. That every person obtaining a license as the owner or driver of any coach, omnibus, cab or other carriage, or of any cart, truck, dray or sled, shall execute a bond in the penal sum of twenty-five pounds, with two sureties in the penal sum of twelve pounds ten shillings each, conditioned for the payment and discharge of all penalties for which he shall be liable under this By-Law, and also for the payment of any damages for which he may be liable in law to any person or persons in the exercise of his calling.

License not to be assigned.

§ 4. That no person shall assign his license (or permit any other person to drive his coach, omnibus, cab, cart, truck, dray, sled or other carriage,) unless he obtain permission for so doing from the Mayor, (for the time being,) which permission shall be endorsed on the back of the license.

Expiration of license.

§ 5. That all licenses granted under this By-law, shall expire on the first Monday in November in every year; Provided always, that no further sum shall be charged upon renewing a license, than the amount hereinafter specified, to be paid annually for registering.

Stand for coaches, cabs, &c.

§ 6. That the following described place shall be the only stand on which it shall be lawful to place for hire, coaches, cabs, or other such like vehicle in summer, or corresponding

vehicles in winter, viz., that part of the Gore between Hughson and James Streets: Provided the vehicles be in single line, with the horses' heads directed towards James Street.

§ 7. That in every case when the above described stand is intersected by cross streets or foot paths, corresponding spaces shall be left for the same; and all vehicles frequenting such stand shall close up the rear of each, respectively, according to the order of their arrival.

§ 8. That for conveyance of passengers ^{Divisions.} and transport of goods, the following described portions of the city and liberties, shall be taken and held as divisions thereof:—First Division: That portion between the third concession on the South, Queen Street on the West, Barton Street on the North, and Wellington Street on the East. Second Division: That portion of the city and liberties beyond the above described division, and within the limits thereof.

§ 9. The prices which may be charged by ^{Coach-drivers} the owners or drivers of coaches, drawn by ^{charges.} two or more horses, are as follows:

1. For conveying a passenger from any of the wharves or stand to any place within the ^{First Division.} first division, and vice versa, one shilling; and for every additional person, three pence.

2. For conveying one passenger from any ^{Second Division.} of the wharves or stand to any place within the second division, and vice versa, one shilling and three pence; and for every additional person, three pence.

3. Time per hour: two shillings and six ^{Per hour.} pence for every hour.

Cab-drivers' charges.

The prices which may be charged by the owners or drivers of cabs are as follows:

First Division.

1. For conveying one passenger from any of the wharves or stand to any place within the first division, and vice versa, seven pence half penny: and for every additional person three pence three farthings.

Second Division.

2. For conveying one passenger from any of the wharves or stand to any place within the second division, and vice versa, one shilling, and for every additional person, three pence three farthings.

Per hour.

3. Time per hour: one shilling and ten pence half penny for the first hour; one shilling and three pence for every subsequent hour.

Tariff of cartage.

Tariff of cartage as follows:

First Division.

1. For each load from any of the wharves or stand to any place within the first division, seven pence half penny; to any place within the second division, one shilling.

Second Division.

2. For wood per cord, and furniture by the load, from any of the wharves or stand to any place within the first division, one shilling and three pence; to any place within the second division, one shilling and nine pence.

Owner or driver may demand prompt payment.

§ 10. That it shall be lawful for the owner or driver of such horses, cab, hackney coach, omnibus, cart, or other carriage, to demand prompt payment of the lawful fare, or hire of the person hiring or using, and every person refusing to pay the same forthwith, shall and may be fined as hereinafter mentioned.

§ 11. That whenever streets form the ^{Boundary of Divisions.} boundary of the above described divisions, the premises on both sides of the streets shall be considered to be included within the division to which the said street shall have first been named as a boundary.

§ 12. That it shall not be lawful for the ^{Overcharging.} owners or drivers of any coaches, cabs, or other vehicles, frequenting the public stands of this city to demand or exact for the conveyance of persons from one place to another in the said city or liberties, in such coaches, cabs or other vehicles, higher rates or charges than those mentioned and specified aforesaid, whether the same shall be estimated by distance or by time.

§ 13. That any person or persons engaging ^{Extra charge for detention.} such coach, cab, or other vehicle, who shall detain the same at his or her place of destination, not more than five minutes, shall be entitled to return in the same to the place of departure, without payment of any additional fare: Provided that should such detention extend beyond five minutes, but not to a quarter of an hour, any such driver or owner shall be entitled to charge and be paid one-half of the original fare, as return fare; and should such detention be for a quarter of an hour, such driver or owner shall be entitled to charge and be paid two-thirds of the original fare, as return fare; and if such detention be for more than half an hour, in such case it shall be optional for such driver or owner to charge and be paid agreeably to the rate of time; and, provided always, that in every description of vehicle, each passenger be allowed a reasonable weight of luggage free of charge.

Specific agreement.

§ 14. That the tariff established by this By-law, shall not be taken or held to supersede any specific agreement which parties employing carriages, cabs, carts, or other vehicles, may make with the drivers or owners thereof.

Extra charges.

§ 15. That it shall be lawful for the drivers or owners of such vehicles, as aforesaid, to charge and receive for the conveyance of passengers in the said city and liberties, one third more than the rates in the above tariff specified, from and after the hour of seven o'clock in the evening, from the first of October to the thirtieth of April, and nine o'clock from the first of May to the first of October.

Where called out and not employed.

§ 16. That any person calling out any carriage, cart, cab, or other vehicle, from its place in either of the stands, established by this By-law, and not employing the same, shall be held and bound to pay to the owner or driver thereof, half the lowest rate of fare.

Copy of Tariff to be exhibited.

§ 17. That the driver of any coach, cab, cart, or other such vehicle for hire in the said city, shall, when required so to do by any person or persons using such vehicle, exhibit a copy of the tariff of conveyance herein mentioned.

Duty of drivers.

§ 18. That no person having charge of any coach, cab, cart, truck, or any such vehicle, on any of the stands, shall wantonly snap or flourish his whip, nor at any time needlessly leave such coach, cab, cart, or such other vehicle, nor shall he make use of any abusive, obscene, or impertinent language, of any kind whatever, while in charge thereof.

§ 19. That every coach, omnibus or cab, ^{Lamps to be used.} when driven or used in the night, unless it be moonlight, shall have fixed upon some conspicuous part of the outside, in front thereof, two well lighted lamps with glass fronts and sides, and having the number of certificate of registry thereof, in plain legible figures of at least one inch in length, painted with black paint upon each of the said lamps, (and no other figure or device) in such manner that the same may be distinctly seen and known.

§ 20. That there shall be affixed inside ^{Tariff of rates to be affixed.} every coach, cab, or such like covered vehicle, in a conspicuous place, a card on which shall be printed in plain legible characters, the number of the vehicle, name of the owner or owners, and tariff of rates, the latter to be furnished by the Corporation.

§ 21. That every owner, driver, or person ^{Number of vehicles & name of owner to be given.} having charge of any coach, carriage, or cab as aforesaid, in the said city, shall, upon being requested so to do, give the number of his vehicle, the name of the owner thereof, and his place of abode.

§ 22. That the provisions of the foregoing ^{Foregoing provisions to apply to winter vehicles.} sections of this By-law, except those in reference to lamps, shall apply, and be held to apply to sleighs, and winter vehicles of that description which shall be used for hire in the said city and liberties.

§ 23. That the following described place ^{Stand for carts, trucks, &c.} shall be the only stand in this city, on which it shall be lawful to place for hire, carts, trucks, or such like vehicles, and corresponding winter vehicles, viz, that part of the Gore East of John Street; provided the vehicles

be ranged in single line, with the horses' heads directed towards James Street.

License to be painted.

§ 24. That each cartman, as soon as licensed, shall cause the number of his license to be fairly painted upon each side of his cart or other vehicle, with black paint upon a white ground, so as easily to be seen on the square of the after part of the shaft, and to continue the same.

Cartmen refusing to be employed.

§ 25. That no cartman shall neglect or refuse to cart, or employ his horse, or horses and cart, truck, waggon or other carriage, for any person when required, unless he be then actually otherwise employed, or unless the distance he shall be required to go shall be without the boundaries of the city and liberties.

Assistance to be given in case of accident.

§ 26. That if any accident or injury shall happen to any person, carriage, vehicle or any other thing by reason of coming in contact with any cartman's horse or cart, or anything which is loaded on such cart, while the same is moving, it shall be the duty of the cartman or driver of such horse and cart, immediately to stop, and if necessary to render assistance, and give his name, place of abode, and number of his cart if required.

Driving on wharves.

§ 27. That no driver of any carriage, cab, cart and omnibus or other vehicle, shall be allowed to drive his carriage, cart or other vehicle upon any wharf at a faster pace than a walk.

Aid to be rendered to City Authorities.

§ 28. That every licensed cartman shall, when called upon by the Mayor, or any of the Aldermen, or the High Baliff, or any of the

Constables, by aiding and assisting with his cart or other vehicle, in the conveyance to prison or elsewhere, of any person or persons, arrested for any offence within the city or liberties.

§ 29. That it shall not be lawful for the drivers, or owners of any cart, truck, or any other such vehicle to demand or exact for the transport of any goods, wares or merchandise, from one place to another, within the said city of Hamilton or liberties, higher rates and charges than those mentioned and specified already, except as regards the article of coal, for which the carters may charge per load instead of per bushel, if they think proper so to do, according to the rates in that behalf.

Drivers of carts, &c., not allowed to exact more than the rates specified.

§ 30. That each driver or owner of a cart, truck, or other such vehicle for hire, shall, if required, carry a sufficient load, that is to say, so much as can be conveniently stowed in his cart, waggon, truck or other vehicle, and as is reasonable for one or more horses, as the case may be.

The amount of load.

§ 31. That any carters, who shall be on the stand aforesaid, unemployed, shall be held to accommodate the first person who shall offer him employment, and that no carter shall remain and loiter about unemployed in any other place than on the stand aforesaid.

Carters shall accommodate, &c.

§ 32. That all carters and persons employed as cartmen, within the said city or liberties, shall be able-bodied men, and capable of loading his cart, waggon or other vehicle, and shall be provided with good horses, and sub-

To be able-bodied men.

stantial vehicles, and harness, and shall drive their horses with care.

Not to ill-use horses.

§ 33. That no carter, cab driver, or other person, shall unreasonably, or cruelly, or otherwise ill-use any horse, or other animal under his care, within the said city or liberties.

Water not to be Carted on Sunday.

§ 34. That no person shall cart water or other articles, or shall cause water or other articles to be carted on a Sunday, unless in case of fire or other emergency.

Carts &c., not to drop part of load on Street.

§ 35. That all carts, waggons or other vehicles, used in this city or liberties, for the transport of loose materials, shall be so constructed as not to drop or lose any of the load on the streets.

Registering of Cab drivers' License.

§ 36 That it shall be the duty of the owner or owners of any coach, cab, carriage, cart, truck or other vehicle, kept and used for the carriage of passengers and goods for hire, within the said city or liberties thereof, who may take out a license for the same, to cause his or her name to be registered and entered in a book to be kept for that purpose, as hereinafter provided, on or before the first Monday in November, in each and every year, and to receive a certificate of his registry and numbers, to be attached to his horse and vehicle in the manner the Superintendent hereinafter mentioned shall direct.

Superintendent to be appointed.

§ 37. That a suitable and proper person shall be appointed by the Common Council of said city, to superintend the regulation and arrangement of coaches, cabs, carts, trucks and all other vehicles for hire, whose duty it

shall be to visit the public stands, and all places where such coaches, cabs, carts, trucks, and other vehicles are permitted to stand, and enforce the rules and regulations respecting such coaches, cabs, carts, trucks or other vehicles, and the drivers thereof, and to maintain order amongst the same, and prosecute all offenders against this law.

§ 38. That it shall be the duty of said person so to be appointed, to keep books of registry, in which shall be entered every year the names of coachmen, cabmen, cartmen, and drivers of every kind of vehicle for hire, within the said city and liberties, and he is hereby authorized, on and after the first Monday in November, in each and every year, to issue certificates of registry and numbers to be attached in the manner he shall direct to the horses and vehicles of all coachmen, cabmen, carters, and drivers of other vehicles for hire, for all which certificates and numbers, the said person so to be appointed, shall be entitled to demand and exact for, and on behalf of the Corporation:—FIRST, For every certificate of registry and number of a cart, fifteen shillings.—SECOND, For every certificate of registry and double number of a cab, or other vehicle drawn by one horse, twenty shillings.—THIRD, For every certificate of registry and double number of a coach, omnibus or other carriage, drawn by two or more horses, *thirty shillings*.

§ 39. That no person shall exchange, lend out, or permit to be used by others, not in his, her, or their employ, his, her, or their number or numbers, for which certificates have been taken out, or shall have a number

Numbers not
to be lent &c.

on their horse, coach, cab, cart or other vehicle, different from the number registered.

The Mayor &c.
to suspend
Driver.

§ 40. That it shall be lawful for the Mayor, for the time being, or in his absence any two of the Aldermen, in his or their discretion, to suspend or displace any driver of any coach, cab, cart, truck, dray, sled, sleigh, or other carriage licensed under this By-law, for any misconduct; and no person who shall have been so suspended, or displaced, shall hereafter drive any coach, cab, cart, truck, dray, sled, sleigh or other carriage, without being permitted in writing so to do by the said Mayor for the time being, or the said Aldermen by whom he was suspended.

Penalties.

§ 41. That any person guilty of any infraction of any of the provisions of this By-law, shall, on conviction before the Mayor, Police Magistrate, or any one or more of the Aldermen of the said city, forfeit and pay at the discretion of the Mayor, Police Magistrate, Alderman or Aldermen convicting, a sum of money not exceeding five pounds for each offence; and in default of payment of any fine imposed for the infraction of any of the provisions of this By-law, together with the costs of prosecution, it shall and may be lawful for the Mayor, Police Magistrate, Alderman or Aldermen, convicting as aforesaid, to issue his or their warrant to levy the amount of fine and costs, by distress and sale of the offender's goods and chattels; and in case no sufficient distress to satisfy the amount of fine and costs shall be found, it shall and may be lawful for the Mayor, Police Magistrate, Alderman or Aldermen as aforesaid, to commit the offender or offenders to the Common

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Gaol for the United Counties of Wentworth and Halton, for any period not exceeding thirty days.

[The above By-Law is Amended under By-Law 104.]

BY-LAW No. CIV.

TO AMEND BY-LAW ON CABS, CARTS, &c.

(Passed 5th December, 1853.)

Whereas it is necessary to amend the By-law on cabs, carts, carriages, &c.,

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Hamilton, in Council assembled, under and by virtue of the Upper Canada Municipal Corporations' Acts :

§ 1. That it shall not be lawful for any person in charge of any coach, cab, cart or other vehicle for hire in the City of Hamilton or the liberties thereof, to neglect or refuse to employ his horse or horses, coach, cart, cab, carriage or other vehicle for any person or persons, when required, unless he be then actually employed. (The fact of his being unemployed shall be that, the said coach, cab, cart or other vehicle of said person is on any of the stands mentioned in said By-law, or at the railway depot, or the steamboat landings in said city.)

Driver not to refuse to be employed.

§ 2. That the owner or owners of any such coach, cab, cart or other vehicle for hire, as aforesaid, shall give notice to the City Clerk within twenty-four hours after hiring any and every of the drivers of said vehicles, and shall then give security to the Municipality of the City of Hamilton, himself in the penal sum of

Security to be given by Owners of Cabs &c.

twenty-five pounds, and two sureties in the penal sum of twelve pounds ten shillings each, for the good behaviour, and for payment of the penalties and fines for which such driver or servant shall become liable for infractions of the By-law relating to cabs, carts, carriages and other vehicles.

§ 3. That the thirty-eighth section of the said By-law be amended by inserting the words, "City Clerk," in place of the words, "said person so to be appointed," in the commencement of said section.

§ 4. That the third sub-section of the ninth section of said By-law be amended by adding thereto the following words—"and for every subsequent hour, one shilling and ten pence half-penny."

Tariff of rates
to be affixed in-
side Cabs, &c.

§ 5. That it shall be the duty of the High Bailiff and Police to see that the tariff of rates is affixed inside the cabs, coaches and other vehicles for hire, to inspect the same at least once a week for that purpose, and to report to the Police Magistrate or any of the Aldermen any omission, neglect or infraction of the said By-law.

Tariff.

§ 6. That the first and second sections of the present tariff, relating to the carters, be repealed, and that the following rates be substituted therefor:—

From any place in the First Division or any other place in the same Division, under 10 cwt., ten pence.

From any place in the First Division or any other place in the same Division, over ten cwt., one shilling and three pence.

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From any place in the First Division to any place in the Second Division, and vice versa, under ten cwt., one shilling and six pence.

From any place in the First Division to any place in the Second Division, and vice versa, over ten cwt., two shillings.

§ 7. And that the present tariff of charges ^{Tariff} for cabs, carriages, &c., be repealed, and the following be adopted :

Charges for carriages, &c., drawn by two or more horses.—From any place within the First Division, to any place within the Second Division, and vice versa, one shilling and three pence; for each additional person, five pence.

From any place within the First or Second Divisions to any place within the same Division, one shilling; for each additional person, three pence.

Charges per hour.—For first hour, three shillings and nine pence; each additional hour after the first, two shillings and six pence.

● Charges for cabs drawn by one horse.—From any place within the First Division to any place within the Second Division, and vice versa, one shilling; for each additional person, three pence.

From any place within the First or Second Division, to any place within the same Division, seven pence half-penny; for each additional person, three pence.

Charges per hour. For first hour two shillings and six pence; each additional hour after the second hour, one shilling and ten pence half-penny.

Repeal.

§ 8. That all sections and parts of said By-law inconsistent with this By-law shall be, and the same are hereby repealed.

Penalty.

§ 9. That any person guilty of any infraction of this By-law, shall, for every offence, on conviction before the Mayor, Police Magistrate, or any of the Aldermen of said city, forfeit and pay to the uses of the said city, a sum not to exceed five pounds and costs, and in default of payment of the same, shall and may be committed to the gaol of the United Counties of Wentworth and Halton, for a period not to exceed thirty days.

BY-LAW No. CIII.

By-law to enable the Corporation of the City of Hamilton to subscribe for four hundred Shares in the Stock of the Galt and Guelph Railway.

(Passed 28th November, 1853.)

Whereas the Railway Clauses Consolidation Act declares that it shall apply to every Railway which shall by any Act which shall thereafter be passed be authorized to be constructed. And whereas an Act of the Parliament of this Province, passed in the sixteenth year of Her Majesty's reign, entitled, "An Act to authorize the construction of a Railway from Galt to Guelph," authorizes the said Company to make and complete a Railway, to be called "The Galt and Guelph Railway Company."

And whereas also the Railway Clauses Consolidation Act provides that Municipal Corporations in this Province may subscribe for any number of shares in the capital stock of, or

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lend to, or guarantee the payment of any sum of money borrowed by any such Company from any Corporation or persons, or endorse or guarantee the payment of any debenture to be issued by such Company for the money by them borrowed; and that they shall have power to assess and levy, from time to time, upon the whole rateable property of the Municipality, a sufficient sum for them to discharge the debt or engagements contracted; and that no Municipal Corporations shall subscribe for stock in, or incur any debt or liability under that Act, or the special Act, unless and until a By-law, to that effect, shall have been duly made and adopted, with the consent first had of a majority of the qualified electors of the Municipality, to be ascertained in such manner as shall be determined by the said By-law, after public advertisements thereof, containing a copy of such proposed By-law, have been inserted at least four times in each newspaper printed within the limits of the Municipality.

And whereas the Mayor, Aldermen and Commonalty of the city of Hamilton, as one of the Municipal Corporations therein intended, by and with the consent first had and obtained in manner hereinafter mentioned, of a majority of the qualified electors of the said city, present at a meeting duly called for that purpose by a public advertisement containing a copy of this By-law, inserted at least four times in each newspaper within the limits of the said city of Hamilton, in the manner by the said Act provided, and held at the City Hall, in the said city of Hamilton, on Monday, the twenty-first day of November, in the year of our Lord one thousand eight hundred and

fifty-three, have agreed to subscribe for four hundred shares in the capital stock of the Galt and Guelph Railway Company, upon the conditions that the debentures hereinafter mentioned shall be taken at par by the said Company for said stock.

Mayor authorized to subscribe for 4000 shares in Galt and Guelph Railway.

BE IT THEREFORE ENACTED by the Mayor, Aldermen and Commonalty of the city of Hamilton, in Council assembled, under and by virtue of the Upper Canada Municipal Corporation Acts—and by and with such consent of a majority of the qualified electors of the said city so obtained as hereinafter mentioned; that the Mayor be, and he is hereby authorized and empowered, to subscribe for and in the name, and on the behalf of the City Council, for four hundred shares in the capital stock of the Galt and Guelph Railway Company, upon the condition above recited.

Mayor authorized to issue Debentures.

§ 2. That the Mayor of the city for the time being, shall have power, and he is hereby authorized and required from time to time, to issue debentures in payment of the said stock, in sums of not less than twenty-five pounds each, in the same proportions and at the same times, as the calls upon the stock shall be made answerable in the case of other shareholders.

Debentures to bear 6 per cent. interest per annum, when payable.

§ 3. That the said debentures shall bear interest from the dates thereof, respectively, at the rate of six per centum per annum, which interest shall be payable at the office of the Chamberlain of the said city, half yearly, on the first day of January and the first day of July, and they shall be signed by the Mayor and countersigned by the Cham-

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berlain of the said city, and shall have coupons attached to each for the said interest, with the signature or initials of the Mayor and Treasurer thereto. And the said debentures shall be payable twenty years after their date, and issued with a proviso that the said Council may redeem them at any time after five years, if they shall desire to do so.

§ 4. That for payment of the said debentures so given for the said stock, and the half yearly interest thereon, there shall be levied and raised upon the whole rateable property, both real and personal, within the said city, a special rate in each year over and above, and in addition to all other rates whatever, as follows, that is to say:—

In each year after the present year, one thousand eight hundred and fifty-three, until, and including the year one thousand eight hundred and seventy-two, a rate of one penny in the pound upon the rateable property of the said city.

In the year of one thousand eight hundred and seventy-two, the sum of one shilling and seven pence in the pound, upon all rateable property in the city, to pay the interest on the debentures for that year, and the said debentures. PROVIDED ALWAYS, that if the whole of the said debentures should not become payable in that year, then, so much of said rate of one shilling and seven pence, shall only be levied and raised as shall be sufficient to pay the interest and such part or amount of debentures as shall become due in that year, and the residue of said rate, together with so much of a further rate of one shilling and seven pence in the pound upon the rate

Special rate to be levied.

One penny in the pound.

One shilling and seven pence in the £

able property for the next succeeding year, and every succeeding year, until the said debentures and the interest thereon shall be fully paid.

City Council not to sell shares, except for the liquidation of debentures.

§ 5. That the said Council shall not at any time before the said debentures are fully satisfied, sell or dispose of the said shares or any of them, except for the purpose of bringing in or liquidating the said debentures, or otherwise securing the due payment thereof. AND PROVIDED ALWAYS, that until the whole of the said debentures shall issue, there shall be so levied and raised in each and every year, for the payment of the debentures actually issued, a portion only of the said rates hereby settled to be levied and raised, bearing such proportion to the rates hereinbefore settled, as the debentures actually issued shall bear to the full amount authorized to be issued.

Overplus, dividends, &c., to be applied in liquidating debentures.

§ 6. That any overplus of amount collected in any year that shall remain, after paying the interest of the said debentures, shall be either funded or forthwith applied to the liquidation of the said debentures, as shall also all proceeds of sales of any of the said stock, and all dividends and monies received, and profits that shall at any time accrue or come to the said Council in respect of such stock.

Consent of the majority of the electors to be ascertained at a public meeting.

§ 7. That the consent of the majority of the qualified electors of the said city, to the City Council of the said city subscribing for four hundred shares in the capital stock of the Galt and Guelph Railway Company, shall be ascertained at a public meeting to be held

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in the City Hall, in the said city, on Monday the twenty-first day of November, in the year of our Lord one thousand eight hundred and fifty-three, at ten o'clock in the morning of that day, at which hour the Mayor of the said city, if he be then present, or, in his absence, any of the Aldermen of the said city shall take the chair and call the meeting to be then held, to order; and the said Mayor or Alderman shall then submit to the electors then and there present, the question—"Shall the City Council of the said city subscribe for four hundred shares in the Galt and Guelph Railway Company, according to the provisions of the Railway Clauses Consolidation Act, or not?" and the person presiding shall declare whether, in his opinion, the majority is for the approval or disapproval of the By-law, and his decision, if not forthwith appealed from, shall be final.

§ 8. Any two duly qualified municipal electors, present at any such meeting, may appeal from the decision of the person presiding, and demand a poll, and such poll shall be granted, and held at the City Hall, by the person presiding at the meeting, and shall be immediately taken by him, the Clerk of the Municipality acting as poll clerk. Each elector shall then present himself in turn to the person presiding, and shall give his vote "yea" or "nay,"—the word "yea" meaning that he approves the proposed By-law, and the word "nay" that he disapproves the same. And that all municipal electors possessed of the necessary property qualification to vote for Aldermen and Councillors for said city, whose names appear on the assessment rolls used at the last municipal election, shall be entitled

Poll may be demanded by any two qualified electors.

to vote, notwithstanding their not being residents of the ward in which said polling place is held.

Poll to be adjourned till the following day.

§ 9. The person presiding shall adjourn the poll at four o'clock on the day of meeting until ten o'clock in the forenoon of the following day, not being a Sunday or statutory holiday, when the poll shall be continued as on the first day, but shall be closed at four o'clock of such second day; and that said poll shall be kept open a third and fourth day, from ten o'clock in the morning until four o'clock in the afternoon; it shall be closed at any time on the first, second, third or fourth days, if one half hour shall elapse without a vote being recorded.

How to ascertain whether the By-law be approved of.

§ 10. At the close of the poll the person presiding shall count the "yeas" and the "nays," and ascertain and certify, for the information of the Council which originated the By-law, whether the majority is for the approval or the disapproval of the said By-law, and such certificate shall be countersigned by the Clerk of the Municipality, acting as Secretary of the meeting, and kept by him with the poll list among the records of his office.

By-law to be advertised.

§ 11. That the By-law shall be inserted four times in each newspaper printed within the said city, previous to the twenty-first day of November next.

BY-LAW No. XXXVI.

HESS STREET.

(Passed 23th Sept. 1848.)

Whereas application has been made to establish and define the limits of Hess street,

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between the north side of King street and the south side of York street, and whereas the said street has been surveyed and reported upon by the City Surveyor :

Be it therefore enacted by the City Council of the city of Hamilton, in Council assembled, under the authority of an Act, 9th Vic., Chap. 73,

That from and after the passing of this By-Law, the limits of said street shall be as follows, viz :—

Commencing at the stone monument planted on the westerly side of Hess street and on the north side of King street ; from thence on a course north $20^{\circ} 30'$ east, to a post planted on the south line of York street, shall be the westerly limit of said Hess street ; and that a line running from the stone monument planted on the east side of Hess street and the south side of York street, running in the direction south $20^{\circ} 30'$ west, to its intersection with King street, shall be the easterly limit of said Hess street, in accordance with the plan and report of the said City Surveyor ; the said Hess street having a width of sixty-six feet.

Hess street established and defined.

BY-LAW No. XXXIII.

GEORGE AND HANNAH STREETS.

To effect certain alterations in George and Hannah Streets.

(Passed 17th July, 1848.)

Whereas it is expedient and necessary for the accommodation of the public, that a street along the south side of the block of land in Springer's Survey, the property of Arthur

The recital.

Bowen, Esquire, equal to the length and breadth of George street, on the south side of the said block, should be opened, and that the said land now forming George street, should be substituted for the land of Arthur Bowen, so as to continue Hannah street to Walnut street; and due notice having been given as the law directs and sets forth in the Act of Incorporation of the city of Hamilton, forty-eighth section.

Be it therefore enacted by the City Council of the city of Hamilton, in Council assembled, under authority of the Vic, Chap. 73.,

Hannah street
defined and
established.

That from and after the passing of this By-Law the street commonly known as Hannah street, in the survey of the late George Hamilton, Esquire, shall be carried through in a direct continuation of a breadth of sixty-six feet to the west side of Walnut street, and that the allowance for a street over at the south side of said continuation, shall be established for, and given into possession of the said Arthur Bowen, Esquire, his heirs and assigns, in lieu thereof.

BY-LAW No. XXXII.

ON ASSIZE AND WEIGHT OF BREAD.

(Passed 26th June 1848.)

Whereas it is expedient and necessary to pass a By-Law to provide for the Assize and Weight of Bread, and to secure to the citizens and others a wholesome article of food, within the city of Hamilton, under the forty-second section of the Act of Incorporation:

Be it therefore enacted, by the City Council of the city of Hamilton, in Council assembled.

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CITY OF HAMILTON.

§ 1. That from and after the first day of July next, all bread baked and offered or exposed for sale in the city of Hamilton, shall be made of good and wholesome flour and meal, and sold by averdupois weight.

§ 2. That if any baker or other person shall make for sale, offer, or procure to be sold, any bread of any other than wholesome flour or meal, or shall sell the same contrary to the preceding section of this law, such person shall forfeit and pay not exceeding the sum of five pounds for every such offence.

§ 3. That all loaf bread offered for sale in this city not in conformity with the provisions of this law, shall be forfeited and be seized and disposed of for the use of the said city.

§ 4. That the loaves shall be quartern loaves of four pounds, and a half quartern of two pounds.

§ 5. That the purchaser may demand that his bread be weighed at the time of delivery, and that the baker or vender do weigh it accordingly.

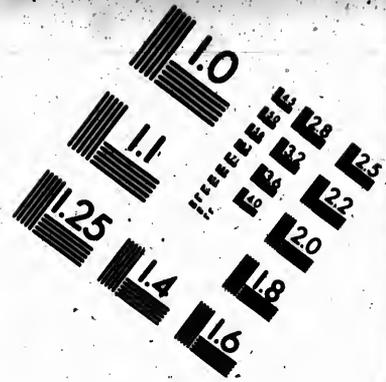
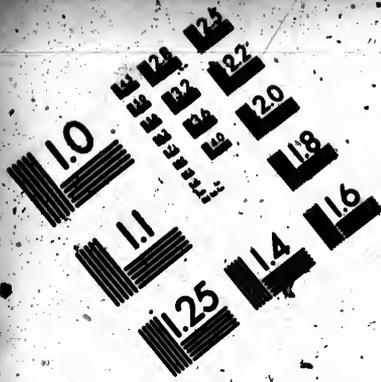
§ 6. That any baker or vender of bread who shall offer for sale bread under weight, shall forfeit the same for the use of the city, as well as the whole batch of which it is a part, if upon inspection the batch in the aggregate shall be found short in weight, or any eight loaves indifferently selected: and moreover, the baker or vender shall be subject to a penalty not exceeding five pounds for each offence.

§ 7. That bakers or venders shall have legibly stamped on the bread the initials of the baker.

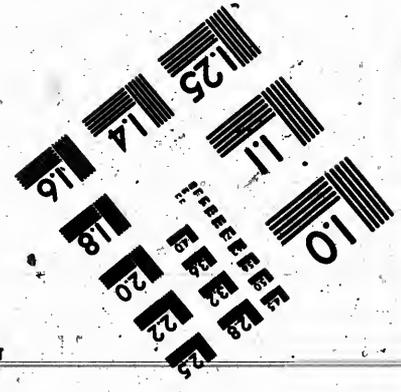
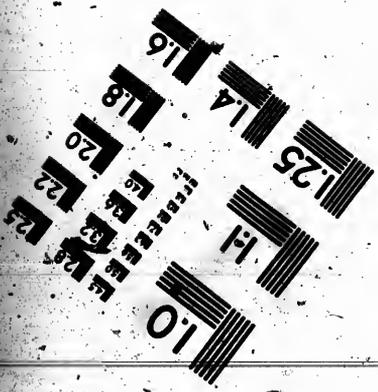
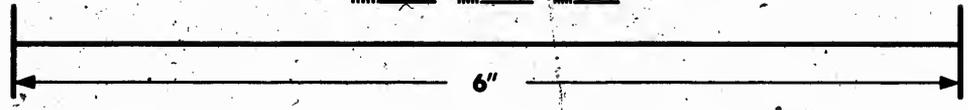
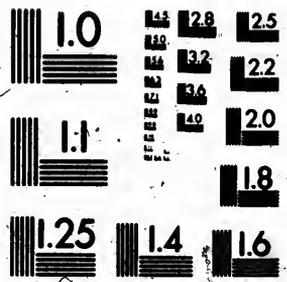








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Inspector to weigh.

§ 8. That the Mayor, of in his absence the chairman of the committee of police, shall order the Inspector to weigh the bread at uncertain periods and report on the same.

Penalty.

§ 9. That any person infringing this By-law shall, upon complaint and conviction before the Police Magistrate, or any one or more of the City Councillors, be subject to a fine not exceeding five pounds and costs, and in default of payment to be imprisoned not more than thirty days.

BY-LAW No. XXV.

ON BOARD OF HEALTH.

(Passed 21st of February, 1848.)

Whereas, it is expedient and necessary to provide for the health of the City of Hamilton, by appropriating a Board of Health and City Physician therein, and defining the duties and powers thereof: Be it therefore enacted by the City Council of the city of Hamilton in Council assembled:

Board of Health.

§ 1. That from and after the passing of this By-law, it shall and may be lawful for the City Council of the City of Hamilton, from time to time, by Resolution, to appoint so many of the members of the City Council, or other fit and proper persons, as they shall deem proper to form a Board of Health, to aid and assist the Mayor of the City, to carry into effect the provisions of this By-law, and all others that shall hereafter be passed, to preserve the health of the city, and to prevent the introduction and spreading of infectious and pestilential diseases within the same; the

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Mayor or presiding Councillor for the time, to be a member and the chairman of the said Board, when present; and in his absence the members present shall elect their chairman, *pro tempore*, any four members thereof, including the chairman, to be a quorum.

§ 2. That it shall and may be lawful for any of the said Board, or any person appointed by the City Council for such purpose, as often as he shall think necessary, in the day time, to enter into and upon the premises of any person within the city, and to examine the same; and if upon any such examination it shall be found that the said premises are in an unclean and filthy state, or that any matter or thing exists therein which in his opinion may endanger the public health, it shall be his duty to report the same to the said Board; and that it shall and may be lawful for the Board, upon being satisfied of the truth of such report, to order and direct the proprietor or occupant of such premises to cleanse the same, and to remove whatsoever shall or may be found thereon, which, in the opinion of such Board, may endanger the public health. And in case the proprietor or occupant of any such premises shall neglect or refuse to obey the orders and directions of such Board, it shall and may be lawful for said Board to order the constables and peace officers of the city to enter on the said premises, and to cleanse the same, and to remove therefrom and destroy whatsoever, in the opinion of said Board, it may be necessary to remove or destroy for the preservation of the public health.

Board of Health, or City Council to appoint.

Proprietor or Occupant to cleanse the same.

City Officers may enter and cleanse same.

§ 3. That it shall and may be lawful for the City Council, by resolution from time to time to be appointed.

One or more Physicians to be appointed.

To hold office during pleasure of the Council.

Board of Health to compel the occupant of certain houses to remove from the same.

time, to appoint one or more City Physicians, resident within the city, whose duty it shall be to examine and report to the Board of Health, according to directions of such Board, as occasion shall require, the general health of the city—whether any and what disease, dangerous to the public health, prevails therein; the cause thereof when known, and to recommend the adoption of such means as he or they may think best, to do away with, and prevent the spread of the same; who, in the discharge of his or their duty shall be governed by, and subject to such rules, regulations and instructions, as shall be made and given to him or them for such purpose, by the City Council or Board of Health; and who shall hold his or their office during the pleasure of the Council; and receive for his or their services such remuneration as shall be hereafter established for such purpose by the Council; or audited and allowed, in the same manner that other accounts against the city are.

§ 4. That when any disease of a malignant or infectious character shall be discovered to exist in any dwelling-house, or out-house, temporarily occupied as a dwelling within the city, situated in an unhealthy or crowded part thereof, or in a neglected or filthy state, or inhabited by too many persons, it shall and may be lawful for said Board of Health, with the authority of the City Council, given by resolution upon the recommendation of said physician, at the proper cost and charges of the city, to compel the Inhabitants of any such Dwelling-house, or out-house, to remove therefrom, and to place them in sheds, tents, or an hospital, or other good shelter, until

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means can be taken by said Board, with the authority of the Council given as aforesaid, for the cleansing, ventilation, purification, and disinfection of such Dwelling-house or out-house.

§ 5. That it shall be the duty of such Board of Health, as often as necessary, to report and recommend to the City Council the appointment of such officers as are not herein named, and other persons, as in their judgment shall be required to attend the sick, to carry into effect the provisions of this By-Law or any other hereafter to be passed, or any order of the City Council or Board of Health respecting the matters herein contained, and for the general health of the city, and that remuneration be paid to the same: And all such officers and persons shall receive their appointment from the City Council, except in cases of emergency, when the Board of Health may employ them until such report and recommendation can be made to the Council. And all contracts shall be made, and supplies obtained, by such Board, with the authority of the City Council given as aforesaid, and all debts and disbursements contracted and made, of every nature, for the objects contemplated by this By-Law, shall be audited before the same are paid, in the same manner as other accounts against the city.

§ 6. That if any person shall wilfully disobey or resist any lawful order of the said Board of Health, or any officer or person duly appointed according to the provisions of this By-Law, or shall wilfully violate any rule, order, or regulation, made and declared under this By-Law, or the power vested in the City

And to report and recommend to the City Council officers to carry out this By-law.

Contracts and supplies.

Officers, &c., disobeying may be fined £5.

Council, for any of the purposes herein mentioned, or shall wilfully resist or obstruct any person appointed according to this By-Law, in the due execution of his duty, such person upon complaint and conviction thereof according to the provisions of the Act, 9th Victoria, chapter 73, entitled, *An Act "to alter and amend the Act Incorporating the Town of Hamilton, and to erect the same into a City,"* shall be liable to be fined a sum not exceeding *Five Pounds*, besides costs, to be levied on his goods and chattels, for the general use of the city, and in default of payment, to be imprisoned for a period not exceeding *thirty days*, according to the provisions of the said Act in that behalf.

Rules and Regulations for the guidance of the Health Officer, appointed under the Hamilton Board of Health.

Health officers
to visit the
streets, &c.

1st. It shall be the duty of the Health Officer to visit the Streets and Lanes of the city, to ascertain if any filth, manure, or other offensive matter exists in quantity, so as to endanger health, and if so to cause the same to be removed, either by the scavengers appointed by the Corporation, or those working under the Board of Health, and deposit the same in such places as may be appointed for that purpose by the City Council.

And yards,
dwellings.

2nd. It shall be his duty also to visit the Yards of Private Dwellings, Taverns, Hotels, and appartainers to other buildings, to ascertain whether any manure or other offensive matter exists therein, and either to order the same to be removed, forthwith, or to cause same to be removed, charging the expense thereof to the party implicated, and in the

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event of interruption or refusal to pay such charge for removal, to complain of the same to the Police Magistrate.

3rd. It shall be also his duty to visit Dwelling Houses where persons may be suspected of lying ill with contagious diseases, and to order the removal of same to the Public Hospitals, and in the event of neglect or refusal, to complain to the Police Magistrate.

4th. It shall be his duty to see that the bodies of persons dying of diseases, be buried in proper time, before danger can arise from decomposition.

5th. It shall be his duty, at the proper season of the year, to ascertain if privies, whether in public or in private premises, require to be emptied, and either to order the same to be done or to remove the deposit by means of the aforementioned scavengers, charging for such removal a fair rate, proportioned to the service; and in default of same being attended to, to complain to the Police Magistrate.

6th. It shall be his duty also to examine all drains, whether private or public, and to report those in the streets to the City Council, and regarding private drains, to order same to be remedied, or cause it to be done charging therefor; and in the case of neglect or refusal, to complain to the Police Magistrate.

BY-LAW No. XXXI.

ON KEEPING BILLS OF MORTALITY.

(Passed June 12th, 1848.)

Whereas it is expedient and necessary to pass a By-law to provide for keeping bills of

mortality within the city of Hamilton, under the 42nd section of the Act of Incorporation: Be it therefore enacted by the City Council of the City of Hamilton, in Council assembled.

Practicing Physicians to make certain returns.

§ 1. That from and after the first day of July next, every practising physician within the city of Hamilton, and every Sexton or person having the charge of any burial ground within the city, shall make the certified returns hereinafter mentioned to the City Clerk on the last Monday in each month. The returns of the physicians to contain the names of all their patients that have died during the then past month—the residence, occupation, place of nativity, and cause and time of death; length of time resident in Hamilton, and whether married or single, with any remarks as to the prevailing diseases that the physician shall think important; which return may be in the form hereunto annexed; and the returns of the sextons or persons having the charge of any burial ground within the city, shall contain the names of all persons that shall have been buried in the burial grounds belonging to the church of which he is sexton, or any burial ground in his charge; also the occupation, age, place of nativity, date of death, length of residence in Hamilton, whether married or single, and whether a pauper or not, and may be in the form hereunto annexed.

Return to be in form following.

Clerk to record such returns.

§ 2. That it shall be the duty of the City Clerk to record such returns in a book to be provided by the City Council for such purpose, the same to be city property.

Penalty.

§ 3. That any such physician or any such

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sexton or person having charge of any such burial ground, failing to make such returns, upon complaint and conviction therefor, shall be liable to be fined a sum not exceeding five pounds with costs, to be levied out of his goods and chattles, and in the event of sufficient goods and chattles not being found, to be imprisoned for a period not exceeding thirty days.

FORM OF PHYSICIAN'S RETURN.

Forms.

Name.	Residence.	Occupation.	Place of Birth.	Age.	Cause of Death.
Time of Death.		Length of Residence in Hamilton.	Single or Married.	Remarks.	

I certify that the foregoing is a true return of the Deaths that have taken place among my patients during the past month.

Dated this

Physician.

FORM OF THE RETURN OF THE SEXTON.

Name.	Residence.	Occupation.	Place of Birth.	Age.	Time of Burial.
Length of Residence in Hamilton.		Married or Single.	Pauper or not.	Remarks.	

I certify that the foregoing is a true return of the interments made in the Burial Grounds under my charge.

Dated this

Sexton.

BY-LAW No. LXXXVI.

ON INNS, TAVERNS, ALE AND BEER HOUSES.

(Passed Dec. 22nd, 1852.)

Whereas it is expedient and necessary to consolidate the By-laws now in force relating to Inns, Taverns, &c., &c.

Be it therefore enacted, by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporations Acts."

§ 1. That from and after the passing of this By-law, all By-laws in any way relating to the regulating or licensing Inns, Taverns,

Repeal of By-Laws prior to passing of this Act.

Ale and Beer Houses, and all houses where spirituous liquors are sold, shall be, and the same are hereby repealed.

Persons to obtain a certificate from Inspectors.

§ 2. That no person or persons shall obtain or be entitled to obtain from the Inspectors of Houses of Public Entertainment, a certificate for a license within the said city or liberties thereof, for the purpose of keeping an Inn, Tavern, Ale or Beer House, or house for selling spirituous liquors, or other house for the reception and entertainment of the public, where fermented or other manufactured liquors are sold, to be drunk therein, unless he, she, or they, shall have the necessary accommodation hereinafter mentioned, in order to obtain a certificate for a license to keep an Inn, or Public House, and have paid the sum of Eight Pounds for the same to the Clerk; nor shall he, she, or they, obtain such certificate, unless he, she, or they shall enter into a recognizance, to be taken by the City Clerk, of Forty Pounds, with two sufficient sureties, in Twenty Pounds each, to keep good order in his, her, or their house, and to observe, fulfil, and keep all and every the rules and regulations of the Corporation that may then or at any time be passed during the continuance of such license, nor unless he, she, or they, shall produce to the said Inspectors at their regular meeting, at the time of applying for their certificate, satisfactory proof that he, she, or they, is a person of good moral character and sober habits; and has caused a notice in writing in the form of Schedule A, to be served on the Inspectors, and also posted, and that the same has remained posted in at least three public places in his, her, or their immediate neighborhood, at least six clear days

Recognizance of £40.

Notice to be posted in three places.



immediately preceding such application ; nor unless he, she, or they, shall first produce to said Inspectors, a certificate from the City Clerk, of his, her, or their having entered into such recognizances.

§ 3. That no person or persons within the said City or Liberties thereof, shall keep an Inn, or house for the sale of Ale, Beer, Cider, or other liquors not spirituous, victualling house, ordinary eating house, or other establishment of like nature, without having first obtained a license for that purpose, and has paid the City Clerk the sum of Four Pounds for the same, which said license shall be granted in like manner and on the like certificate of the said Inspectors, as licenses to keep houses of public entertainment, and to retail spirituous liquors are granted ; Provided always, that nothing herein contained shall be construed to prevent the said Inspectors in their discretion from dispensing with the necessary accommodation in houses intended to be kept solely as victualling houses, ordinaries, and eating houses, and not as Inns ; but that a certificate and license may be granted to them notwithstanding the want of said accommodation, upon paying the said sums of money aforesaid.

Licenses for the sale of Ale, &c.

Inspectors in their discretion may dispense with necessary accommodation.

§ 4. That any person selling wines, spirituous or fermented liquors, within the City of Hamilton or the Liberties thereof, without being duly licensed according to the provisions of this Act, or any Act of this Province, shall on conviction forfeit and pay a sum of money not less than one pound, nor more than five pounds, for each offence, and any person who shall sell any article of little or

Persons selling without a license to be fined.

And selling
articles of little
value.

no value, and give to its purchasers any wines or spirituous or fermented liquor shall be deemed to be guilty of selling such spirituous or fermented liquor, and shall on conviction pay a fine of not more than five pounds.

§ 5. That all persons obtaining a license for any of the purposes aforesaid, shall observe and keep the following

RULES AND REGULATIONS.

Apprentices,
&c., not to
resort to or
frequent Bar-
Rooms.

1st. As Inns are licensed for the convenience of travelers, and the entertainment of way-faring persons, all tippling, dram-drinking, and habitual resort thereto are strictly prohibited, and especially that no apprentice, journeyman, servant, or hired man, shall be permitted to resort to, or frequent the bar-room, or abide about the premises as an idler or dram-drinker.

Sign to be put
up.

2nd. That in every instance a sufficient sign shall be placed in a conspicuous part of the premises, showing in legible characters the name of the person who shall have obtained the license, whereby the Inn, or tavern shall be known as such, and at all times every tavern-keeper shall keep and provide good and wholesome provisions and drink for his guests, clean and comfortable beds, not less than four, other than for family use.

Servant to be
in attendance.

3rd. That every Inn-keeper shall have a servant in attendance, to take charge of any horse, or horses of travelers resorting to his house, and shall see that justice is done in feeding, watering, cleaning, and taking care of them.

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4th. That necessary attention and civility shall be given at all times to the wants of travelers, and that carriages, baggage, and goods of such travelers be taken due charge of, and for which the Inn-keeper shall be liable for any neglect.

Attention and civility to travelers.

5th. That no disorderly conduct shall be suffered, or unlawful games, in any Inn or Tavern, or in any out-house, yard, garden, or other premises thereunto belonging.

Disorderly conduct not to be suffered.

6th. That each Inn-keeper shall shut up his bar and keep it closed from 12 o'clock on Saturday night, until 12 o'clock on Sunday night, and no spirituous or intoxicating liquors are to be sold or furnished to any one except to travelers or boarders, on the Lord's day.

Shutting up bar.

7th. That all Inn-keepers be required to afford sufficient accommodation to travelers in apartments separate and unconnected with the bar-room, and that no store or grocery be kept in any apartments used for the purpose of an Inn.

Accommodation to be afforded.

8th. That every Inn-keeper or other person having obtained a license to sell spirituous liquors, or ale and beer, shall shut up his bar every night at 11 o'clock, P.M., and keep it closed for the night, except on Saturday night when it may be kept open until 12 o'clock, midnight.

Closing of Bar-Rooms.

§ 6. That whenever any person applying for license for any of the purposes aforesaid shall have obtained a certificate from the Inspector, as aforesaid, it shall be obligatory upon such person, and he, she, or they are required to take out such license forthwith.

Persons obliged to take out license forthwith.

No tippling,
&c., to be
allowed.

§ 7. No person or persons shall tittle, or allow or permit tippling in his, her, or their Inn, tavern, grocery or house of public entertainment, or shall revel or publicly exhibit himself or herself in a state of intoxication, or shall brawl, or use profane language in the city or the liberties thereof on the Lord's day commonly called Sunday, under the penalties hereinafter mentioned.

License to be
in force until
last of Feb'y.

§ 8. That all licenses issued under the authority of this By-law, shall be in force from the date thereof, until the last day of February then next ensuing.

Repealed un-
der By-law 86.

§ 9. And it shall be lawful for the Revenue Inspector, on the production of such certificate as aforesaid, and on payment of the Imperial duty, to give to such person or persons therein named a License for the purposes in this act mentioned.

£1 for Tem-
perance house.

§ 10. That the sum to be paid for a license to keep a temperance house for the accommodation of travelers shall be one pound per annum.

A copy of the
By-Law to be
put up in Bar-
Room.

§ 11. That persons licensed or to be licensed as aforesaid, shall keep in a conspicuous part of his, her, or their bar-room, or in the most public room of his, her, or their house, when no bar-room exists, a copy of this Act.

SCHEDULE A.

Form of
application.

Notice is hereby given, that application will be made by the undersigned to the Inspectors of houses of public entertainment, on the day of 185 , for a license to sell spirituous liquors, (or Ale and Beer,

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(here describe situation of premises,) dated, day of 185 .

§ 12. That it shall be the duty of Inspectors of houses of public entertainment, who now are elected or who shall hereafter be elected within the city of Hamilton, and the liberties thereof to see that the By-laws of the corporation are complied with as regards the persons to whom licenses to keep houses of public entertainment, and to retail spirituous liquors therein, shall be granted—as also the persons to whom licenses to keep an inn, or house for the sale of ale and beer, cider or other liquors not spirituous, victualling house, ordinary eating house, or other establishment of a like nature shall be granted, and for that purpose shall, after such previous visits and examinations as they may think proper, meet on the third Monday of every month thereafter, and at such place as they may, or a majority of them may deem meet, for the purpose of determining what persons have qualified themselves to obtain a license for any of the purposes aforesaid, and to give certificates to such persons, which shall state the sum payable by such persons respectively for such licenses under the By-laws of the said corporation.

Inspectors to see that the By-Law relating to Inns be complied with.

Meetings of Inspectors.

§ 13. That it shall be the duty of Inspectors, and they are hereby authorized and empowered to visit all houses in the city to which licenses may be granted at any time they may think proper, at least once every month, and see that all the requirements of this By-law are complied with, and to report once every three months to the Common

Inspectors to visit licensed Inns, and report monthly to the Council.

Council; and in case of any breach of the same or of the rules and regulations thereof, immediately to make a complaint thereof before the Police Magistrate or other proper authority, and report to the Council at the end of each quarter, the number of certificates of licenses granted, the amounts to be paid to the Revenue Inspector, and to report at any time any suggestions as they may deem applicable to the better regulations of the said taverns, inns, &c.

Interference
with Inspec-
tor's duties.

§ 14. That any person interfering with the Inspectors or any of them in the discharge of his or their duty, as pointed out by this act, or any act of the Legislature, shall on conviction, be liable to the penalties hereinafter mentioned.

Inspector to
prosecute.

§ 15. That it shall be the duty of the Inspectors to prosecute in their respective wards, all offenders against any of the provisions of this act, and that each Inspector shall be paid the sum of ten pounds per annum for his services.

Penalty.

§ 16. That any person guilty of any infraction of any of the provisions, actions or rules of this act shall, on conviction thereof before the Mayor, Police Magistrate, or any one or more of the Aldermen of the city, forfeit and pay a sum of money not less than one pound, nor more than five pounds, one half of which to be paid to the informer, (provided he is not examined as a witness to prove the offence, in which case the whole shall belong to the Municipality,) and the other half to the Chamberlain for the use of the city, and in default of payment of the

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same, it shall be lawful for the Mayor, Police Magistrate or Aldermen convicting, to issue his warrant to levy the amount of fine and costs by distress and sale of goods and chattles, and in case of no sufficient distress to satisfy the amount of fine and costs, it shall and may be lawful for the Mayor, Police Magistrate or Alderman convicting, to commit such offender or offenders to the gaol of the United Counties of Wentworth and Halton, for any period not exceeding thirty days.

BY-LAW No. LXXXVI.

(Passed 22nd Dec., 1852.)

Whereas it is necessary to amend By-law No. 79, on inns, taverns, &c., passed 15th October last,

Be it therefore enacted, by the Mayor, Aldermen and commonalty of the city of Hamilton, in Council assembled, under the "Upper Canada Municipal Corporations Acts,"

That section number nine in said By-law as aforesaid, be and is hereby repealed, and that the amount to be paid for licenses, to sell ale, beer, and spirituous liquors, shall be as formerly; that is to say, the sum of eight pounds currency only, exclusive of five shillings currency for certificate.

Tavern licenses for the sale of ale and beer, £8.

BY-LAW No. LXXX.

ON HOUSE OF INDUSTRY AND HOSPITAL

(Passed Oct. 27th, 1852.)

Whereas it is expedient and necessary to pass a By-law for the guidance and good gov-

ernment of the House of Industry and Hospital,

Be it therefore enacted, in Council assembled, under the "Upper Canada Municipal Corporation Acts,"

That all rules and regulations heretofore made, be, and the same are hereby repealed.

Physician, &c., to be appointed.

§ 1. That there shall be appointed one Hospital Physician, one Superintendent and Matron, at a salary to be determined on by the Council.

Physician and Superintendent to make arrangements.

§ 2. The Physician and Superintendent shall make such arrangements among themselves, as they may in their judgment deem necessary, but not to be repugnant to this By-law.

Physician to visit patients daily.

§ 3. The Physician shall visit every patient who may be afflicted with an acute disease, at least once a day, and oftener if necessary.

Physician's duties.

§ 4. At such visits the Physician shall enquire whether his directions and prescriptions have been carefully observed; he shall attend to the neatness and ventilation of the wards, and give such directions on those subjects as may be necessary, to the Superintendent. He shall direct the Superintendent to report to the Chairman of the Hospital Committee, such patients as are in a proper condition to leave said Hospital.

Physician's duties.

§ 5. The Physician shall, if prevented from attending said Hospital, procure some other Physician to attend in his stead.

Patients may be recommended by Physician.

§ 6. Any Physician may recommend to his Worship the Mayor, or the chairman of said committee, patients to be admitted; but the

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said persons may refuse or admit patients so recommended, at their discretion.

§ 7. If any extraordinary or pressing case, where great inconvenience would result from waiting for the approbation of the said persons herein named, the physician may direct the Superintendent to receive a patient immediately; and in case of sudden accident the Superintendent may receive patients without recommendation; but the Superintendent must give early information of every such case to the said chairman who may permit the patient to remain in the Hospital or not, as shall appear to him discreet and proper.

Superintendent to receive patients.

§ 8. No capital operation, except in cases of immediate danger, shall be performed, without the previous approbation of the said Committee, nor without inviting two other Physicians in the city to be present at the operation.

Capital operation with consent of committee.

§ 9. The Superintendent and Matron shall be Stewards of the Hospital; they shall have the general charge thereof, and see that the regulations of the Committee and the directions of the Physician are carried into effect.

Superintendent's and Matron's duties.

§ 10. They shall purchase, under the direction of the said Committee, fuel, provisions, and all other stores for the use of the Hospital, except medicines.

Superintendent's and Matron's duties.

§ 11. They shall keep, under their key, all wines, spirit, sugar, molasses, unmade linens and blanketing, and all other stores and necessaries.

Superintendent's and Matron's duties.

§ 12. They shall see that the outer gates are locked at a seasonable hour every even-

Gates locked.

ing, and shall not suffer any patient to go out of the Hospital without special permission, and they shall visit every Ward at least once every day, and oftener if necessary.

Wines and spirits.

§ 13. They shall take particular care that no wines or spirits are used in the Hospital, except by the direction of the Physician, for use of the patients.

All articles to be entered in a pass-book.

§ 14. The Superintendent shall cause all articles purchased for their departments to be immediately entered by the person of whom they are purchased, in a pass-book provided for that purpose, with the date, quantity, kind and price of the articles.

A book wherein Physician shall enter his directions shall be kept.

§ 15. He shall keep a book in which the physician shall enter his directions for the purchase of medicines, &c., with the date, and quantity to be purchased, and signed with the initials of his name; and the Superintendent shall purchase of the person or persons appointed for that purpose by the said Committee, and none other, the articles so ordered; but he is strictly forbidden to purchase anything, except in pursuance of such directions, previously entered as aforesaid.

All books and papers to be laid before committee.

§ 16. He shall lay before the said Committee, whenever required to do so, all books and papers connected with the Hospital; and the Chairman of said Committee is hereby authorized to furnish the Superintendent all books that may be deemed necessary for the use of said Hospital.

Patients desirous of the attendance of any religious person.

§ 17. He shall see that if any patient is dangerously ill; he shall enquire whether he is desirous to converse with any religious per-

son, and he shall invite the person so desired by the patient to attend, and while such person is present shall see that the other patients in the ward behave with decorum. This duty to be imperative on the Superintendent.

§ 18. When a patient is discharged, the Superintendent shall cause his name to be entered in the book provided for that purpose, mentioning him as cured, relieved, incurable, or disorderly. On the decease of a patient, he shall so cause his or her name, and the time of his or her decease to be entered in the Register; the body to be conveyed as soon as it conveniently may be, to the hearse or to the friends (provided said friends get the sanction of the Mayor or the Chairman of the said committee) of the deceased, for interment, and shall be interred according to the wishes of the deceased or friends, and the Superintendent shall be responsible for the execution of this duty as aforesaid.

Superintendent to enter in a book certain particulars.

§ 19. If any person or persons in the Hospital shall use profane language, disregard the By-laws and regulations, or otherwise misbehave, it shall be the duty of the Superintendent to report the offenders in writing to the said Mayor or Chairman, and when a patient dies leaving clothes or other articles of value, the Superintendent shall report the same to said Committee, who shall make a minute of such report, and give him the necessary directions.

Superintendent to report persons misbehaving.

§ 20. If the Physician, Superintendent, or Matron that may be appointed by the council from time to time, shall become unfit to execute his or her office, or shall misde-mean themselves in their office, contrary to

Matron or other officers becoming unfit for his or her office.

A complaint to be lodged with chairman of committee.

this By-law, or refuse or neglect to execute the same, the committee or any members of the corporation, may prefer against them or either one of them, a complaint in writing to the Chairman of said committee, at a legal meeting, and thereupon a notice of the said complaint shall be given to the person complained of, and a time shall be appointed (not less than three days after service of the said notice,) for the person complained of to make his or their defence before the said committee, and the committee having examined into the truth of the complaint, and heard the defence of the party accused, if any shall be made, may, with the concurrence and approbation of a majority of the whole members present, of said committee, upon such examination and due proof, shall recommend to the City Council, in council assembled to suspend, or discharge such person or persons complained of, as aforesaid.

BY-LAW, No. LXXXI.

ON BALL ALLEYS, EXHIBITIONS, ETC.

(Passed 10th November, 1853.)

WHEREAS it is necessary to regulate Ball-Alleys, Exhibitions, Shows, &c., in the city of Hamilton.

Be it therefore enacted by the Mayor, Aldermen, and commonalty of the city of Hamilton, in council assembled :

Persons to be licensed to keep a ball-alley.

§ 1. That it shall not be lawful for any person or persons to keep a Ball-alley in the city of Hamilton, or the liberties thereof, without having first obtained a license for

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that purpose from the Mayor, under the seal of the city which license is to be signed by the Mayor and countersigned by the Clerk, and that a duty shall be imposed upon the person applying for said license, at the rate of £9 per annum, and to expire on the 1st February in each and every year.

§ 2. That it shall not be lawful for any person or persons to keep his, her, or their Ball-alley or Billiard-room open; nor shall any person or persons frequent the same for the purpose of play, after the hour of eleven o'clock at night, nor before the hour of 6 o'clock, A. M.

Ball-alleys and billiard rooms to be closed at 11 o'clock at night.

§ 3. That it shall not be lawful for any minor apprentice or servant to play in, or frequent any Ball-alley or Billiard-room at any time, nor shall the owner or owners of any such Ball-alley or Billiard-room suffer or permit any minor, apprentice, or servant to play or to frequent his or their Ball-alley or Billiard-room or table, under the penalty hereinafter mentioned.

No apprentice to frequent the same.

§ 4. That it shall not be lawful for any person or persons to exhibit any natural or artificial curiosity—any theatrical or circus representations or exhibitions, or any painting, animal or animals, or any idle show, acts, or feats for gain or profits, within the city or liberties, without having first obtained a license for the same; and no owner or occupant of any house, outhouse, or other place, shall furnish or allow the same to be used for the accommodation of such exhibition or performance, unless such license be obtained as herein mentioned.

All exhibitions, &c., to be licensed.

Mayor to grant
license.

§ 5. And that it shall be lawful for the Mayor, or in his absence, any two of the Aldermen of the city, to grant such license for such sum to be paid to the Chamberlain by the party applying for the same, as the Mayor or Aldermen aforesaid shall demand therefor, or refuse such license altogether.

Clerk to issue
license and
receive
payment.

§ 6. That when any such license is granted it shall be prepared by, and countersigned by the Clerk, under the seal of the corporation, and shall state the amount for which it is given, receive the same and pay it to the Chamberlain for the use of the city, and keep a separate account of such licences.

Penalty.

§ 7. That any person guilty of any infraction of any of the provisions, sections, or clauses of this By-law shall upon conviction thereof forfeit and pay a sum of money not to exceed five pounds, or in default of payment thereof shall and may be committed to the gaol of the United Counties of Wentworth and Halton, for a period not to exceed thirty days.

BY-LAW, No. LXXVIII.

ON SURFACE DRAINAGE.

(Passed 29th September, 1853.)

WHEREAS it is expedient to encourage the making and repairing of surface drains, flagging pavements or sidewalks in the city of Hamilton, by the proprietors of real property immediately benefitted thereby.

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the city of

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Hamilton, in council assembled, "under the Upper Canada Municipal Corporations Acts."

§ 1. That as soon as two thirds of the proprietors of real property, on any side of any street or part of streets, not less than the part between any two cross streets, in the city of Hamilton; shall require of the Council, that a sidewalk or pavement, flagging, or surface drains be constructed at the expense of the proprietors of real property, on such side of said street immediately to be benefitted by such improvements, the City Council shall make and build the same, under the supervision of the Street Inspector or Surveyor, who shall ascertain and report to the Council an estimate of the whole expense thereof.

Pavements, &c., to be made on request of two thirds of the proprietors of real property.

§ 2. And be it enacted, that for the payment of the debt to be incurred in the making and constructing of such sidewalk, or pavement, flagging or drains, there will be levied and raised upon the rateable real property of such side of such street or part thereof, immediately to be benefitted by such improvement, a special rate over and above and in addition to all other rates whatsoever, sufficient to pay for the said improvements.

Special rate to be enforced for such improvement.

§ 3. That the said sidewalks, paving, flagging and drains, when constructed as aforesaid, and approved of by the said Inspector or Surveyor, shall forever thereafter, be kept in repair at the expense of the corporation.

The city to keep same in repair.

§ 4. That it shall be the duty of the Inspector or Surveyor, to see that such sidewalks or pavements, flagging or drains, are made and constructed in a good and workmanlike manner.

The duty of Surveyor or Inspector.

BY-LAW No. LXXXV.

ON WEIGHTS AND MEASURES.

(Passed 8th Dec., 1852.)

Be it enacted by the Mayor, Aldermen and Councillors of the city of Hamilton, in Council assembled :

Weights and measures to be marked and sealed.

§ 1. That every merchant, retailer, trader, and dealer in merchandise, or property of any description, which is sold by measure or weight in the city of Hamilton and the liberties thereof, shall cause the weights and measures used by him, her, or them, to be sealed and marked by the City Inspector of Weights and Measures ; and if any of the said persons shall use any weight or measure for weighing or measuring any article for purchase or sale, which shall not be sealed as herein provided, such person shall forfeit and pay a fine to the city not to exceed five pounds.

To conform to the standard of the Province.

§ 2. And that all weights and measures sealed by the Inspector shall be made to conform to the standard of this Province, and shall be marked and sealed by him.

§ 3. And it shall be the duty of the Inspector (in addition to the provisions in Act 12th Victoria, cap. 85) and he is hereby authorized to inspect and examine, at least twice a year, all weights and measures used by any of the persons aforesaid ; and if any such person shall refuse to exhibit any such weights or measures to the Inspector, when required so to do by him, or in any manner obstruct such Inspector in the performance of the duties hereby enjoined upon him, such person shall be liable to the penalty hereinafter mentioned.

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§ 4. And it shall be the duty of the said Inspector to make a registry of all the weights and measures inspected and examined by him, in which he shall state the name of the owner or owners of the same, and the street in which they reside; and whether such weights and measures are according to the standard of this Province; and to deliver a copy of such registry to the Clerk of this Council, every half year, and therein to report the names of all owners, where weights and measures are incorrect, or who shall refuse or neglect to have their weights and measures sealed and marked.

To furnish a report to City Council.

§ 5. That no person shall sell, or offer or expose for sale in the market or market-grounds of the city, any butter; except by weight, nor in less quantities than in folls of a pound weight each, without any fraction of a pound; or, if the butter be contained in tubs, pails, or firkins, the same shall be sold by weight.

Butter to be sold by weight.

§ 6. That the purchaser may demand that the roll or rolls of butter be weighed at the time of delivery, and that the vender shall weigh it accordingly.

Vender to weigh.

§ 7. That all butter offered or exposed for sale by the roll, underweight, shall be forfeited to the use of the city, and the vender shall be subject to the penalty hereinafter mentioned.

To be forfeited if under weight.

§ 8. That any person infringing on this By-Law shall be liable to a fine of not more than five pounds and costs; and, in default of payment, to be imprisoned in the gaol of the United Counties of Wentworth and Halton for a period not to exceed thirty days.

Penalty.



BY-LAW No. LXXXIII

ON ALLEY.

(Passed 24th November, 1852.)

Whereas application has been made to open an Alley from East Market to Rebecca Street, twelve feet wide, as hereinafter described :

Be it therefore enacted by the Mayor, Aldermen and Councillors of the city of Hamilton, in Council assembled—

Description of alley.

That from and after the passing of this Act, the limits of the said Alley shall be as follows :—

East Market to Rebecca St.

Commencing at the north-westerly limit of East Market Street, at the distance of twenty-eight feet on a course of south sixty-five degrees and forty-five minutes east from the easterly foundation wall of the Engine House or Police Office ; thence north twenty-four degrees and fifteen minutes, east two hundred and seventy-four feet, more or less, to the south limit of Rebecca Street ; the said Alley to be twelve feet wide, and on the west side of the above described line.

BY-LAW No. LXXXIV.

ON FIRES, THREATS TO OFFICERS, &c.

(Passed 8th December, 1852.)

Who shall have command at fires.

§ 1. That the Mayor or any of the Aldermen or Councillors present at any fire, shall have full power to order any person or persons to assist in extinguishing any such fire, and shall report to the Police Magistrate, on the following morning, the names of any person or persons refusing or wilfully neglecting to render such assistance, who for such refu-

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sal shall be liable to the penalty hereinafter mentioned.

§ 2. That all licensed carters shall attend ^{Premiums} at all fires for the purpose of supplying water for the extinguishing thereof and rendering other necessary assistance, and that the following premiums be awarded to carters and others, upon certificate of the Engineer or other officer in command :—

To the first engine on the ground in actual working order, or that has commenced throwing water on the fire, 10s.

To the first puncheon of water furnished to any engine in the city, reservoir, or otherwise, the sum of 10s.

For every second, 5s.

For the third and subsequent, 1s. 3d.

Provided always, that no carter be entitled to any of the above premiums, whose puncheon is not three-fourths full when delivered to the Engine, nor unless the said carter or other person remain at the fire when not employed in fetching water until discharged by the proper officer.

§ 3. That no person or persons shall hereafter pass, or cause to be passed through any ^{Stove-pipe through partitions.} partition of wood, or wood and lime, or through any wooden floor, in any house or building within said city and liberties, any stove-pipe, without leaving six inches clear between the pipe and the partition of the floor, unless such pipe passes through a stone, in which case, three inches clear, as aforesaid, shall be sufficient.

§ 4. That no occupant or occupants of any ^{Stove-pipe holes not to remain open.} house or building within the said city, shall

permit any pipe-hole, not in use, in any chimney in such house or building, to remain open, and not closed with a stopper of meat or other incombustible material.

Stove-pipes not to be passed through sides of roofs of houses.

§ 5. That no occupant of any house or premises, shall pass, or keep passed through the top of any house, any stove-pipe, unless the same shall be passed through stone, or other incombustible material; nor shall any such occupant allow any such stove-pipe to pass through the side of any building whatever.

Stoves to be at least 7 inches from the floor, &c.

§ 6. That no person or persons shall, hereafter, place any stove in any house or building, in the said city or liberties, without leaving nine inches clear from any wood-work, immediately above such stove, and seven inches from any wood-work opposite the sides of the same, and at least seven inches from the floor; and all stoves shall be furnished with a metal ash-pan, to be placed under the door of said stove; also, a wooden form covered with tin, or one of other metal, or a platform of brick-work under said stove.

Ladders to be fastened thereto.

§ 7. That no proprietor or proprietors of any house or building, in which there shall be one or more chimnies, within the said city, shall neglect or fail to have on his, her, or their houses or buildings as aforesaid, one or more ladders, or shall neglect to have all ladders to chimnies well and safely fastened thereto with iron hooks, or shall neglect or refuse, for eight days after being required by any of the police force to furnish or repair the same, as the case may be.

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§ 10. place or l or fire-pla wooden v in his, her said city a shed, or s hay, straw uncovered on any lot of any bu

§ 11. T or dischar arms, or sh

§ 8. That no person or persons shall set fire to any shavings, chips, straw, or other combustible matter, for the purpose of consuming the same in any street, square or lane in the said city, or within any enclosure, within two hundred feet of any building, or leave them until they are consumed ; or shall carry or keep, or suffer to be carried or kept any lighted candle or lamp in any livery or other stable, within the said city, unless such lamp or candle be enclosed in a lantern or shade, so as to prevent any accidents from fire therefrom.

Shavings,
Chips, Straw,
&c., not to be
ignited in the
Streets, &c.

§ 9. That no person shall smoke or have in his or her possession any lighted cigar or pipe in any stable, carpenter, or cabinet-maker's workshop, or other shop, or building where straw, shavings, or other combustible material may be, or shall carry fire through any of the streets, squares, lanes, or court-yards of the said city, except in some covered vessel or metal fire-pan.

No smoking in
Stables, &c.,
allowed.

§ 10. That no person or persons shall place or keep any ashes, removed from stoves or fire-places, in any wooden box or other wooden vessel, or near any wooden partition in his, her, or their house or houses, in the said city and liberties, or in any out-house or shed, or shall place, or cause to be placed, any hay, straw, or other combustible material uncovered, in his, her, or their court-yard, or on any lot of ground within one hundred feet of any building.

No Ashes to be
kept in a wood-
en box.

§ 11. That no person or persons shall fire or discharge any gun, fowling-piece or fire-arms, or shall set fire to any cracker, squib,

Guns, Squibs,
Crackers.

serpent, or other fire-works in any of the streets, squares, or lanes of the said city and liberties.

Threats to officers.

§ 12. That it shall not be lawful for any person or persons by words, threats, violence, or otherwise, to hinder or obstruct the High Bailiff, or any of the city constables, or any person lawfully employed or authorized by them, in arresting any person charged with any offence against the laws of the Province, or against any of the By-laws of the city, (against whom any warrant shall be issued,) or who shall be charged as will lawfully authorize any city officer, aforesaid, to arrest any such person or persons charged as aforesaid.

Concealing persons.

§ 13. That it shall not be lawful for any person or persons to deny or conceal from any such officer, as aforesaid, any such person or persons charged as aforesaid, for the purpose of preventing any such person or persons from being arrested under such warrant.

On ice.

§ 14. That it shall not be lawful for any person or persons to cut Ice in that part of Burlington Bay lying in front of the city, except west of a line drawn north from the outer end of the wharf occupied by Mr. Cook, and that any person cutting ice in any such part of the Bay shall surround the hole made thereby with brush, so that any person passing over the Bay may not suffer any damage; and that any person guilty of a breach of this By-law, shall be liable to be fined a sum not exceeding five pounds, with costs, or in default of payment of such fine and costs, may be imprisoned for not more than thirty days in the common gaol of the United Counties of Wentworth and Halton.

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That n or cause opened, o in the city any dead St. Mary the Mayor the Mayor's Committee consent sh persons havi ground, o there.

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§ 16. That any person infringing any section of this By-law, shall upon conviction, be liable to be fined a sum not exceeding five pounds for the use of the city, and in default of payment be imprisoned in the gaol of the United Counties of Wentworth and Halton, for a period not to exceed thirty days. Penalty.

BY-LAW No. XCI.

ON THE INTERMENT OF THE DEAD.

(Passed 1st June, 1853.)

Whereas it is necessary to regulate the interment of the dead in the city of Hamilton :

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the city of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporations Acts"—

That no person shall dig or open any grave, or cause or procure any grave to be dug or opened, or shall inter or deposit, in any grave in the city of Hamilton or the liberties thereof, any dead body, except in the Burlington or St. Mary's Cemetery, without the consent of the Mayor or Chairman of the Cemetery Committee being first obtained; and which consent shall only be given in the case of persons having land in the present burying-ground, or whose relations have been buried there. No Grave to be dug, except in the Cemeteries without consent of Mayor, &c.

§ 2. That the Superintendent of the Burlington Cemetery shall see that the Rules and Regulations of the Burlington Cemetery are properly enforced, and shall pay to the Clerk of the Council all moneys received by him by virtue of his office. Superintendent to see that the Rules are enforced.

Book to be kept in which to enter the number of lots, &c.

§ 3. That the City Clerk shall enter in a book, kept for that purpose, the number and price of the lot sold, the date of purchase and the name of purchaser thereof; and on payment of the price of said lot, the Clerk shall make out a deed thereof, and the Mayor is required to execute the same, and affix thereto the corporate seal of the city of Hamilton.

Penalty.

§ 4. That any person violating any of the provisions of this By-law shall be fined a sum of money not to exceed Five Pounds and costs, to be paid to the City Chamberlain, and in default of payment of the same, it shall be lawful to commit such offender to the Gaol of the United Counties of Wentworth and Halton for a period not to exceed thirty days.

BY-LAW No. XCII.

To authorize the issue of Debentures for the completion of the Central School and other purposes.

(Passed 1st June, 1853.)

Whereas the Board of School Trustees for Common Schools of the City of Hamilton, have presented statement of the cost for the completion of the Central School, amounting to the sum of Three Thousand Five Hundred Pounds; and whereas it is necessary to provide for the same and for other expenses connected with the Schools of this City, by the issue of Debentures:

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Hamilton, in Council assembled, "under the au-

thority of Corporation

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thority of the Upper Canada Municipal Corporations Acts:”

§ 1. That it shall and may be lawful to issue Debentures for such amounts as may be from time to time required, for the purposes above named, in sums of not less than twenty-five pounds, and not to exceed in the whole, the sum of three thousand five hundred pounds; and that the same shall be signed by His Worship the Mayor, and counter-signed by the Chamberlain.

Debentures to be issued not to exceed £3,500.

§ 2. That the said Debentures shall bear interest from the date thereof, at and after the rate of six per cent per annum, payable half-yearly at the office of the Chamberlain, on the first days of June and December in each year.

Debentures to bear 6 per cent. interest, and payable half-yearly.

§ 3. That the Debentures so to be granted, shall be payable as follows, that is to say:

When Debentures shall be payable.

The sum of five hundred pounds on the first day of December, 1857.

The sum of six hundred pounds on the first day of December, 1858.

The sum of six hundred pounds on the first day of December, 1859.

The sum of six hundred pounds on the first day of December, 1860.

The sum of six hundred pounds on the first day of December, 1861.

And the sum of six hundred pounds on the first day of December, 1862.

§ 4. For the payment of the said Debentures and the interest thereon, there shall be levied and raised upon the whole rateable property within the said City of Hamilton, and the liberties thereof, a special rate in each

Special rate to be levied for payment of Debentures.

year, over and above, and in addition to all other rates whatever, as follows, that is to say: in each year until the year 1857 inclusive, a rate of one half-penny in the pound; and during the years 1858, 1859, 1860, 1861 and 1862, a rate of two pence in the pound in each and every year, until the said Debentures shall be fully redeemed and paid.

BY-LAW No. XCIII.

To determine a method of defraying the cost of constructing Sewers.

(Passed 13th June, 1853.)

Be it enacted by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporations Acts."

That in future, the expense of constructing Sewers in the City of Hamilton, be paid out of the general Revenues of the city.

BY-LAW No. XCIV.

REPEAL

(Passed 4th July, 1853.)

Whereas it is expedient and necessary to pass a By-law to repeal By-law No. 12, and also to repeal clause No. 11 in By-law No. 68:

Be it therefore enacted, by the Mayor, Aldermen, and Commonalty of the City of Hamilton, in Council assembled, "under the authority of the Upper Canada Municipal Corporations Acts."

Repeal of By-Laws.

That from and after the passing of this By-law, By-law No. 12, and clause No. 11 in By-law No. 68, be, and the same are hereby repealed.

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BY-LAW No. XCV.

*To authorize the issuing of Debentures, under
the Act 16th Victoria, Chap. 95.*

(Passed 4th July, 1853.)

Whereas, by an Act passed in the last Preamble.
Session of Parliament, entitled "An Act to
authorize the City of Hamilton to negotiate
a loan of fifty thousand pounds to consoli-
date the city debt and for other purposes,"
the Mayor, Aldermen, and Commonalty of
the City of Hamilton, are authorized to raise
by way of loan, upon the credit of the De-
bentures of the said city, the sum of fifty
thousand pounds, and it is expedient to issue
Debentures thereunder.

And whereas the whole rateable property Amount of
of the City of Hamilton, for the year 1852, rateable prop-
erty for 1852.
was £106,258 1s 4d.

And whereas the annual rate in the pound Rate of 9d. in
required as a specified rate for the payment the pound.
of the interest of said sum of fifty thousand
pounds, and the creation of a sinking fund of
two per cent. to pay the principal, is nine
pence in the pound.

Be it therefore enacted, by the Mayor,
Aldermen, and Commonalty of the City of
Hamilton,

That it shall and may be lawful for the £50,000 to be
Mayor of said city, or for any agent to be by raised by way
of loan.
him appointed, to raise by way of loan, from
any person or persons, body or bodies corpor-
ate, who may be willing to advance the same,
upon the credit of the Debentures hereinafter
mentioned, and the special rate hereinafter
imposed, a sum of money not exceeding in
the whole fifty thousand pounds, and to cause

the same to be paid into the hands of the Chamberlain, for the purposes in the third clause of the said act specified.

And be it further enacted,

Mayor to cause
Debentures to
be issued.

That it shall and may be lawful for the Mayor of the city, for the time being, to cause or direct to be issued, Debentures under the corporation seal, in such sum of not less than twenty-five pounds, and not exceeding in the whole the said sum of fifty thousand pounds, as any person or persons, body or bodies corporate, who may be willing to loan on the credit of such Debentures may require.

And be it further enacted,

Debentures to
be signed by
the Mayor, and
to have Cou-
pons attached.

That the said Debentures shall be signed by the Mayor, and countersigned by the Chamberlain of the city, for the time being, and shall have coupons attached for the payment of the interest thereon, which interest shall be payable semi-annually, and the principal monies thereby secured, shall be payable at such time, not exceeding twenty years from the date thereof, as the Mayor shall decide on, and shall, as well as the interest thereon, be payable at the office of the Chamberlain of the city, or such other place or places as the Common Council shall, by resolution, from time to time appoint, and as shall be designated in the said Debentures.

And be it further enacted,

Special rate of
9d in the pound
to be levied.

That for the payment, satisfaction and discharge of the said Debentures and the interest thereof, there shall be levied and raised up on the assessed value of all rateable property in the said city and the liberties thereof, over and above and in addition to all other rates

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whatsoever, a special rate of nine pence in the pound in each and every year, until the full payment and redemption of said Debentures and interest: Provided always, that until the whole of the said Debentures shall be issued, there shall be so levied and raised in each year, for the payment of the said Debentures actually issued, and the interest thereon, a portion only of the said rate hereby settled to be levied and raised, bearing such a proportion of the rates hereinbefore settled as the Debentures actually issued shall bear to the whole amount of Debentures hereby authorized to be issued.

BY-LAW No. XCVI.

REPEAL.

(Passed 4th July, 1853.)

Whereas, in consequence of the Act passed at the last session of Parliament, 16th Vic., chap. 95, it is expedient to repeal By-law No. 82, no action having ever been had thereunder:

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the City of Hamilton, that By-law No. 82, entitled "A By-law to provide for the raising of a sum of money for certain purposes therein mentioned," be, and the same is hereby repealed.

Repeal of By-Law No. 82.

BY-LAW No. XCVII.

To sell the Stock held by the City of Hamilton in the Great Western Railroad Company.

(Passed 22nd August, 1853.)

Whereas it is thought necessary and expe-

lient to sell the stock held by this city in the Great Western Railway Company :

Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Hamilton, in Council assembled, "under the authority of the Upper Canada Municipal Corporations Acts :"

Stock to be sold, but not at a less rate than par.

That from and after the passing of this By-law, it shall and may be lawful for the Mayor or Chairman on Finance for the time being, to sell the stock held in the Great Western Railway to any person or persons, bodies corporate or politic, who may be willing to purchase the same; provided always that said Railway Stock shall not be sold at a lower rate than par.

Proceeds to be applied to the liquidation of Debentures.

And be it further enacted, by the authority aforesaid, that the proceeds arising from the sale of said Railway Stock, or so much thereof as are necessary for the redemption of the Debentures issued in payment of said Railway Stock, shall be applied to the liquidation thereof, and for no other purpose whatever.

BY-LAW No. C.

To regulate the sale of Spirituous and other Liquors within the grounds on which the Provincial Agricultural Exhibition is held, and on the grounds adjacent thereto.

(Passed 4th October, 1853.)

Keepers of Houses of Public Entertainment must obtain permission from the Inspector to sell refreshments.

Whereas, by the Act 14th and 15th Vic, chap. 120, it is enacted that wherever any party to whom a license to keep a house of public entertainment shall have been granted, shall desire to furnish such refreshments, as by

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law he is permitted to do in the house for which he has obtained a license, at any place out of his said house but within the limits to which such license extends, or to remove from the house for which the same shall have been granted into another house in the same township, incorporated village or town, or city, and to keep a house of public entertainment therein, it shall be lawful for the Inspectors of Houses of Public Entertainment for such township, incorporated village, or town or city, or a majority of such Inspectors in their discretion, but subject always to any By-law which may have been made in that behalf by the municipal authority of the locality, to endorse on such license a permission to the party to whom it was granted to furnish such refreshments as aforesaid:

And whereas certain persons are about applying to the said Inspectors for permission to sell spirituous and other liquors on the said grounds:

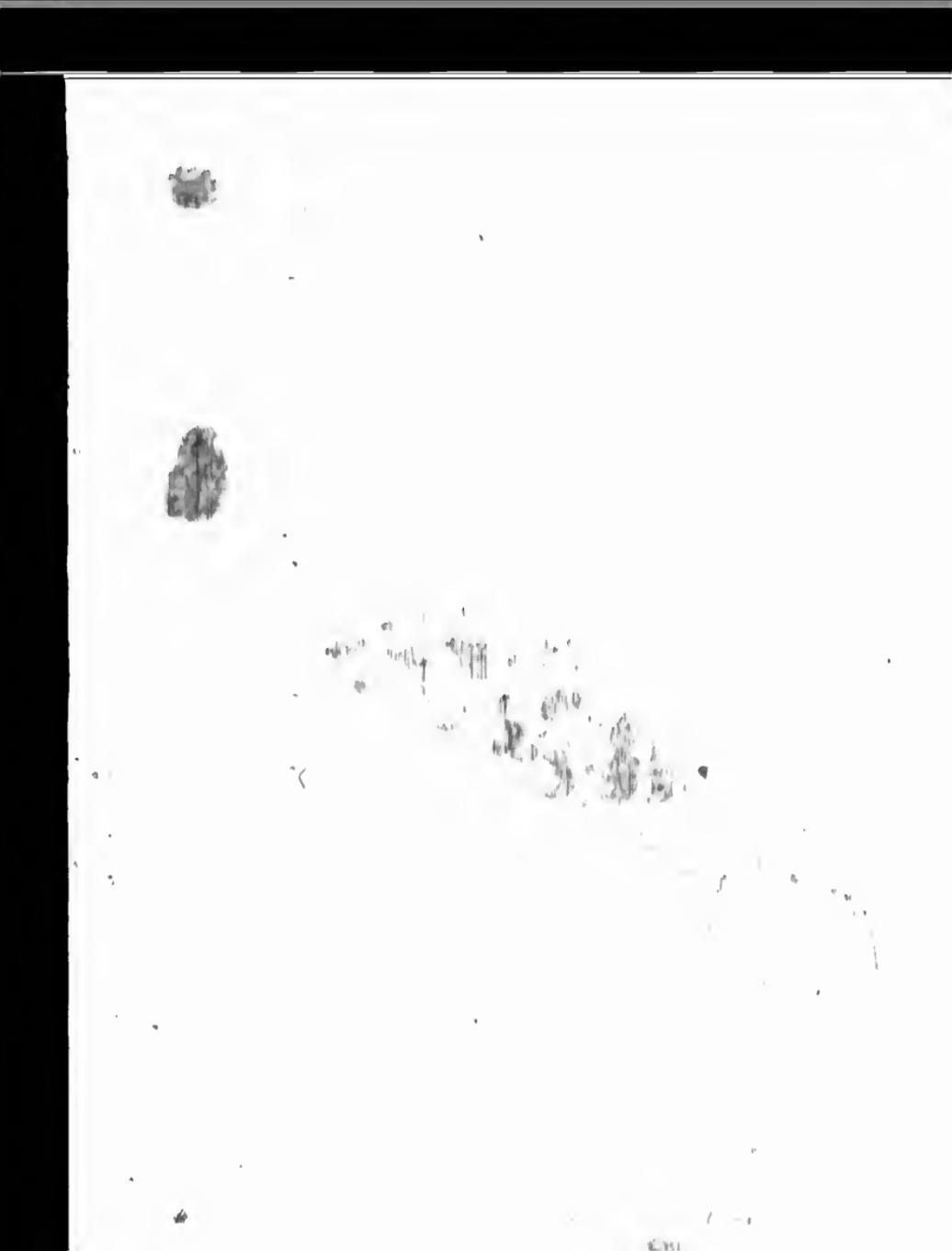
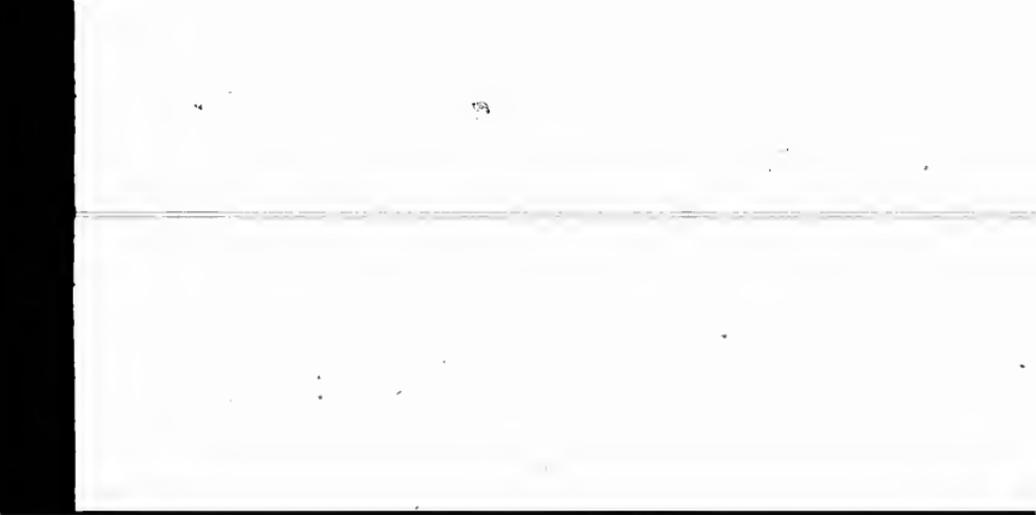
Be it therefore enacted by the Mayor, Aldermen and Commonalty of the city of Hamilton, in Council assembled, "under the authority of the Upper Canada Municipal Corporations Acts"—

That before such permission is given to any person or persons, by the said Inspectors, or a majority of them, he, she or they shall pay to the City Chamberlain for the time being the sum of twelve pounds ten shillings; and that until such payment, any such permission or endorsement of his, her or their license shall be void and of no effect.

Payment of £12 10s. must be made before allowed to sell spirituous liquors.

And be it enacted, that if any person or persons shall sell or expose for sale on the

Penalty.



said grounds on which the said Exhibition is held, or on the grounds adjoining or contiguous thereto, any spirituous or other liquors, without having first paid the said sum of twelve-pounds ten shillings, as aforesaid, he, she or they shall, upon conviction thereof before the Mayor, Police Magistrate, or any of the Aldermen of the city, forfeit and pay for each offence a sum of money not exceeding five pounds, one half of which to be paid to the informer, and the other half to the Chamberlain, for the use of the city: And it shall and may be lawful for the Mayor, Police Magistrate, or Alderman, as aforesaid, to issue his warrant to levy the amount of fine and costs, by distress and sale of the offender's goods and chattels; and in case no sufficient distress to satisfy the amount of fine and costs shall be found, or in default of payment of the same, shall be committed to the gaol of the United Counties of Wentworth and Halton for a period not exceeding thirty days.

BY-LAW No. CV.

For Licensing Auctioneers, Shopkeepers, &c.

(Passed 6th February, 1854.)

Preamble.

Whereas by an Act passed in the 16th year of the reign of Her Majesty Queen Victoria, intituled "An Act to repeal certain duties of excise, so far as regards Upper Canada, and to vest certain powers in the municipal authorities of that part of the Province," certain powers and authority therein more particularly mentioned are vested in and conferred upon the Municipal Councils of counties and cities in Upper Canada:

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And whereas it is necessary to pass a By-law to carry said powers into effect :

Be it therefore enacted, by the Mayor, Aldermen, and Commonalty of the City of Hamilton, constituted and assembled under and by virtue of the "Upper Canada Municipal Corporations Acts"—

That on or before the fifteenth day of February, one thousand eight hundred and fifty-four, and on or before the fifteenth day of February in each succeeding year, there shall be taken out a license from the City Clerk for the time being, by every shop-keeper, store-keeper, and others selling within the said city any wine, brandy, or other spirituous liquors, ale or beer by retail, in places other than houses or places of public entertainment; and that for each and every such license there shall be paid to the said City Clerk the sum of seven pounds ten shillings.

Auctioneers' License, £15; selling by samples, £2.

And be it further enacted, that on or before the 15th day of February, 1854, and on or before the 15th day of February in each succeeding year, there shall be taken out a license from the City Clerk for the time being, by all person or persons who shall sell goods by sample, or who shall exercise or be desirous of exercising the calling or occupation of an auctioneer within the said city, and that for each and every such license there shall be paid to the said City Clerk the sum of fifteen pounds for Auctioneer's, and for selling by samples two pounds: Provided always, that nothing herein contained shall extend to sales by auction, under the authority of any Sheriff, under-Sheriff, or Constable.

And be it further enacted, that on or be-

Description of occupation or calling for which a License is required.

Amount.

Not to apply to British subjects.

License for Billiard-table, £20.

fore the fifteenth day of February, 1854, and on or before the fifteenth day of February in each succeeding year, there shall be taken out a license from the City Clerk, by every hawker, pedlar, petty chapman, and any trading person or persons within the said city going from place to place, or to other men's houses, or who have not become householders by permanent residence within said city, or travelling either on foot or with a horse or horses, mule or mules, or other beast or beasts bearing or drawing burthen, boat or boats, decked vessel or vessels, or other craft or otherwise within said city, carrying to sell, or exposing to sale, any goods, wares, or merchandise; for which license there shall be paid the following sums at the time such license be taken out:—

For every man travelling on foot, one pound.

For every horse, ass or mule, or other beast bearing or drawing burthen, an additional sum of one pound ten shillings.

For every man sailing with a decked vessel trading and exposing for sale goods, wares, and merchandise, on board or from the same, free.

For every man trading with a boat or other craft, and exposing for sale goods, wares and merchandise, for each boat or craft, free.

Provided always, that nothing herein contained shall extend to any person or persons being British subjects by birth or naturalization, from selling or exposing any goods, wares or merchandise manufactured in this Province, and of which he, she, or they are the manufacturers.

And be it further enacted, that on or before the fifteenth day of February, one thou-

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and eight hundred and fifty-four, and on or before the fifteenth day of February in each succeeding year, there shall be taken out from the City Clerk for the time being, by all persons who shall within the said city keep or have in their possession, or on their premises, any billiard-table or tables set up for hire or gain, directly or indirectly, or being in any house or place of public entertainment, or house or place of public resort, whether such billiard table be used or not; and that for the license on each table there shall be paid the sum of twenty pounds.

And be it further enacted, that the licenses mentioned in this By-law shall be signed by the Mayor, or sealed with the city seal, and issued and countersigned by the City Clerk, who shall keep in a book for that purpose, a true record of the number of licenses issued, to whom and when the same were issued, and the amount paid therefor; and that all licenses shall extend and be in force for one year, from the fifteenth day of February in each year, on which day they shall be dated.

License to be signed by the Mayor, and to be in force for one year.

And be it further enacted, that any person breaking any of the provisions of this By-law, shall, upon conviction thereof before the Mayor, Police Magistrate, or any of the Aldermen of the said city, forfeit and pay for each offence a sum not exceeding five pounds, or, in default of payment of the same, shall be committed to the gaol of the United Counties of Wentworth and Halton, for a period not exceeding thirty days.

Penalty.

And be it further enacted that this By-law shall come into force on the fifteenth day of February, 1854.

BY-LAW No. CVI.

*To amend By-Law No. 105, on Auctioneer
and other Licenses.*

(Passed 3rd April, 1854.)

Whereas it is necessary to pass a By-law to amend By-law No. 105 :

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the city of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporations Acts"—

amendment of
By-Law 105.

That in the first section, in the said By-law, after the word "retail," be inserted, "in quantities not less than one quart, and not drunk on the premises."

And be it further enacted, that in Section Number 2, in said By-law, the Auctioneer Licences be ten pounds, in place of fifteen pounds; and also that in Section No. 4, Billiard Tables be ten pounds each, instead of twenty pounds each.

BY-LAW No. CVII.

To Establish a Board of Works.

(Passed 4th April, 1854.)

Whereas it is expedient and necessary, in consideration of the large improvements now in progress and in contemplation within the limits of this city, to establish a Board of Works :—

Be it therefore enacted by the Mayor, Aldermen and Commonalty, in Council assembled :—

§ 1. That from and after the passing of this By-law, there shall be a Board of Works established.

§ 2. That the said Board consist of five members of the Council, one from each Ward.

§ 3. That the members constituting said Board shall, from time to time, be selected and confirmed by resolution of Council.

§ 4. That it shall be the duty of said Board to report to the Council, when required, all matters connected with the improvements under their supervision, and to suggest any alterations or additions they may deem advisable for the public interest; and also to make such suggestions to the Council, from time to time, with regard to any new work or improvement which the aforesaid Board of Works may deem advisable to be undertaken.

Board of Works to report to Council all improvements, &c.

§ 5. That they shall be empowered to apply for and obtain the opinion of any professional gentleman they may select, if, in their judgment, mismanagement has occurred in the construction of any of the public works.

Defines powers vested in Board of Works.

§ 6. That in the event of any failure on the part of Contractors or others employed by them, to fulfil or carry on the work so contracted for in accordance with the articles of agreement, said Board shall have the power, in conjunction with the City Engineer for the time being, to suspend such work until such time as the Council shall take action and decide thereon.

§ 7. That the works which the said Board shall take under their supervision shall be such as shall be designated by the Council from time to time, and to which their attention shall be specially directed.

BY-LAW No. CVIII.

To provide for the Municipality being represented at certain Meetings of the Great Western Railway Company.

(Passed 8th May, 1854.)

Municipality of Hamilton to have a representative in the deliberations of the G.W.R. Company.

Whereas it is considered advisable and expedient that this Municipality being the holder of fifty thousand pounds of stock, should be represented and give its vote upon any and all questions or measures which may be submitted to the shareholders for the Great Western Railway Company:

Be it therefore enacted by the Mayor, Aldermen, and Commonalty of the city of Hamilton, in Council assembled, "under the Upper Canada Municipal Corporations Acts"—

That His Honor the Mayor, together with Alderman J. F. Moore and Councillor J. T. Gilkison, or either of them, be, and are hereby authorized and empowered to attend the Meetings of the Shareholders of the Great Western Railway Company, to be held on the fifteenth day of May, instant, and the fifth day of June next, respectively, or any adjournment thereof, and then and there to vote for, and in behalf of, this Municipality, in accordance with the known views of this Council.

BY-LAW No. CL

ON COALS.

(Passed 17th October, 1853.)

To regulate the sale of Coal.

Whereas it is expedient and necessary to pass a By-law to regulate the sale of coal in the city of Hamilton:

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Be it therefore enacted by the Mayor, Aldermen and Commonalty of the City of Hamilton, in Council assembled, "under the authority of the Upper Canada Municipal Corporations Acts:"

§ 1. That all persons selling coals in this city shall cause the same to be weighed by the Clerk of the Market, who shall give the party a ticket containing the name of the person for whom weighed, the weight of the load, including the waggon, and the quantity of the coal weighed, in the denomination the same is usually sold, if requested: Coals to be weighed by the Clerk of the Market.

§ 2. That the Clerk shall be authorized to demand and receive, as a fee for each and every load of coal weighed at the City Scales, the sum of sevenpence halfpenny. Clerk's Fee.

§ 3. That any person infringing the provisions of this By-law, or any part thereof, shall, for every such offence, upon conviction before the Mayor, Aldermen or Police Magistrate, be fined a sum of money not to exceed five pounds, with costs; and in default of payment thereof, shall and may be committed to the common gaol of the United Counties of Wentworth and Halton for a period not to exceed thirty days. Penalty.

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