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BILL.

An Act respecting the Municipal Institutions of Upper Canada.

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B I L L .

An Act respecting the Municipal Institutions of Upper Canada.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. This Act shall come into force on the day of Commence-
5 one thousand eight hundred and fifty- ment of Act.

EXISTING INSTITUTIONS.

CONTINUED.

2. The Inhabitants of every County, City, Town, Village, Township, Union of Counties and Union of Townships incorporated, at the time this Act takes effect, shall continue to be a body Corporate, and every Police Village then existing, shall continue to be a Police Village, with the Municipal boundaries of each such Corporation and Police Village respectively then established, of which Bodies Corporate and a Police Villages a Schedule is hereto annexed. Municipal In-
corporations
and Police
Villages.

3. The Trustees of every Police Village existing when this Act takes effect, shall be deemed the Trustees respectively of every such Village as continued under this Act.

NAMES AND GOVERNING BODY.

1.—CORPORATIONS.

4. The name of every Body Corporate continued, or erected under this Act, shall be *The Corporation of the County, City, Town, Village, Township, or United Counties, or United Townships* (as the case may be) of (naming the same.) Names of Cor-
porations.

5. The Inhabitants of every Junior County upon a Provisional Municipal Council being or having been appointed for the County, shall be a Body Corporate under the name of *The Provisional Corporation of the County of* (naming it.) Name of Pro-
visional Cor-
porations.

6. The powers of every Body Corporate under this Act, shall be exercised by the Council thereof. The Councils
to govern.

2.—POLICE VILLAGES.

7. The Police regulations of every Police Village, shall be enforced through Police Trustees. Trustees in
Police Vil-
lages to
govern.

NEW MUNICIPALITIES.

COUNTIES AND TOWNSHIPS.

Extension of
Corporate
Municipali-
ties.

8. The Inhabitants of every County or Union of Counties erected by Proclamation into an independent County or Union of Counties, and of every Township or Union of Townships erected into an independent Township or Union of Townships, and of every locality erected into a City, Town or Incorporated Village, and of every County or Township separated from any Incorporated Union of Counties or Townships, and of every County or Township or of the Counties or Townships if more than one, remaining of the Union after such separation, being so erected or separated after this Act takes effect, shall be a body Corporate under the provisions of this Act. 5

NEW POLICE VILLAGES.

New Police
Villages.

9. On the Petition of any of the Inhabitants of an unincorporated Village, the Council or Councils of the County or Counties within which such village is situate, may, by By-law, erect the same into a Police Village, and assign thereto such limits as may seem expedient. 15

NEW INCORPORATED VILLAGES.

When popula-
tion 750,
County Coun-
cil may by
By-law incor-
porate new
Villages and
name place
for 1st elec-
tion and re-
turning
officer.

10. When the census returns of an unincorporated Village or place with its immediate neighbourhood, taken under the direction of the Council or Councils of the Township or Townships in which such Village and neighbourhood are situate, shew that the same contains over seven hundred and fifty inhabitants, and when the residences of such inhabitants are sufficiently near to form an incorporated Village, then, on petition, in case of a Police Village by the Trustees thereof, and in case of any other Village or place, by not less than one hundred resident freeholders and householders thereof, the Council or Councils of the County or Counties in which such Village or place and neighbourhood are situate shall, by By-law, erect such Village or place and neighbourhood into an incorporated Village, apart from the Township or Townships in which the same are situate, by a name and with boundaries to be respectively declared in the By-law, and shall name in such By-law the place for holding the first Election, and the Returning Officer who is to hold the same. 20 25 30

When the
Village lies
within two
counties, how
to be annexed
to one of them
by the Coun-
cils or Govern-
nor.

11. When the newly incorporated Village lies within two or more Counties, the Councils of such Counties shall, by By-law, annex such Village to one of the Counties; and if within six calendar months after the petitions for the incorporation of the Village are presented, the Councils do not agree to which County the Village shall be annexed, the Wardens of the Counties shall memorialize the Governor in Council, setting 35 40

forth the grounds of difference between the Councils ; and thereupon the Governor may, by Proclamation, annex the Village to one of such Counties.

12. In case the Wardens do not within three months next
 15 after the expiration of the six months memorialize the Governor
 as aforesaid, then one hundred of the freeholders and house-
 holders on the census list may petition the Governor to
 settle the matter, and thereupon the Governor may, by Procla-
 mation, annex such incorporated Village to one of the said
 10 Counties.

When by the
Governor.

13. In case the Council of any Incorporated Village petitions
 the Governor to add to the boundaries thereof, the Governor may,
 by Proclamation, add to the Village any part of the localities
 adjacent, which from the proximity of streets or buildings
 15 therein or the probable future exigencies of the Village, it may
 seem desirable to add thereto.

Additions to
Villages by
Governor.

ERECTION OF VILLAGES INTO TOWNS, AND TOWNS INTO CITIES.

14. A Census of any Town or incorporated Village, may at
 any time be taken under the authority of a By-law of the
 Council.

Towns and
Cities how
formed.

20 15. When it appears by any Census return taken under any
 Act of Parliament, or any such By-law, that a Town contains
 over ten thousand Inhabitants, such Town may be erected into
 a City ; And when it appears by any such return, that an In-
 25 corporated Village contains over three thousand inhabitants,
 such Village may be erected into a Town : But such change
 shall be made under and subject to the following proceedings
 and conditions :

Firstly—In case the Council of such Town or Village, for three
 months after such Census return, inserts a notice in some news-
 30 paper published in the Town or Village, or, if no newspaper is
 published therein, then in case such Council has for three
 months posted up a notice in four of the most public places in
 the Town or Village, and inserted the same in a newspaper pub-
 lished in the County in which the Town or Village is situate,
 35 setting forth in such notice the intention of the Council to
 apply for the erection of the Town into a City, or of the Village
 into a Town, and stating the limits intended to be included
 therein ;

1st notice to
be given.

Secondly—And in case the Council applying, proves such
 40 publication to the Governor in Council ; And procures such
 census returns to be certified to him under the signature of the
 Head of the Corporation and under the Corporate Seal ;

2nd existing
debts to be
adjusted.

3rd proof of
publication of
notice.

Thirdly—Then—in the case of a Village, the Governor may, by Proclamation, erect such Village into a Town by a name to be given thereto in the Proclamation ;

4th census
returns certi-
fied.

Fourthly—And in case the application is for the erection of a Town into a City,—if the Town has moreover paid to the County or Union of which it formed part, such portion, if any, of the debts of the County as may be just, or if the Council of the Town has agreed with the Council of the County as to the amount to be so paid, and the periods of payment with interest from the time of the erection of the new City, or in case of disagreement if the same has been determined (as it shall be) by arbitration under the 332 to the 335 sections and subsections of this Act ; and proves to the Governor in Council such payment, agreement or arbitration ;

5th Governor
may proclaim
such City or
Town.

Fifthly—Then the Governor may by a Proclamation erect such Town into a City, by a name to be given thereto in the Proclamation.

16. The Governor may include in the new Town or City such portions of any Township or Townships, and unincorporated Village or Villages adjacent thereto and within the limits mentioned in the aforesaid notice as, from proximity of streets or buildings, or the probable future exigencies of the new Town or City, the Governor in Council may consider it desirable to attach thereto.

Wards.

17. The Governor may divide such new Town or City into Wards with appropriate names and boundaries, but no Town shall have less than three Wards, and no Ward less than five hundred inhabitants.

Lands detach-
ed from
Counties.

18. In case any tract of land so attached to the Town or City belonged to another County, the same shall thenceforward for all purposes cease to belong to such other County, and shall belong to the same County as the rest of the Town or City.

NEW DIVISION OF WARDS IN CITIES AND TOWNS.

New division
of Wards in
Cities and
Towns.

19. In case two thirds of the Members of the Municipal Council of any City or Town, do in Council before the Fifteenth day of July in any year, pass a resolution affirming the expediency of a new division into Wards being made of the City or Town, or of a part of the same, either within the existing limits or with the addition of any part of the localities adjacent, which form the proximity of streets or buildings therein, or the probable future exigencies of such City or Town it may seem desirable to add thereto respectively, the Governor may by proclamation divide the City or Town, or such part thereof into Wards, as may seem expedient, and may add to the City or Town any part of the adjacent Township or Townships, Village or Villages which

the Governor in Council on the grounds aforesaid, considers it desirable to attach thereto.

LIBERTIES IN CITIES ABOLISHED.

20. There shall be no liberties or outer Wards in Cities.

EXISTING BY-LAWS—Continued.

21. When a Village or place is incorporated, or an incorporated Village or Town is, with or without additional area, erected into a Town or City, the By-laws in force therein respectively shall continue in force until repealed or altered by the Council of the new Corporation. But no such By-laws shall be repealed or altered unless they could have been or can be legally repealed or altered by the Council which passed the same.

By-laws to continue in Cities, Towns and Villages.
When not repealed.

22. When an addition is made to the limits of a Municipality, the By-laws of the Municipality shall extend to such additional limits, and the By-laws of the Municipality from which the same was detached shall cease to apply to such addition.

LIABILITY TO DEBTS TO CONTINUE.

23. In case of the formation of an incorporated Village, or of the erection of a Town into a City, the Village and City respectively shall remain liable to all the debts and liabilities to which such Village or Town was previously liable, in like manner as if the same had been contracted or incurred by the new Municipality.

Liability to debts to continue.

COUNCILS AND OFFICERS TO CONTINUE.

24. When any place is erected into an incorporated Village, or an incorporated Village into a Town or a Town into a City, the Council and the members thereof having authority in the place or Municipality immediately before such erection, shall, until the Council for the newly erected Corporation is organized, continue to have the same powers as before; and all other Officers and Servants of such place or Municipality shall, until dismissed or until successors are appointed, continue in their respective offices, with the same powers, duties and liabilities as before.

Former councils and officers to exercise jurisdiction over new Municipalities, &c., until new councils, &c., organized.

TOWNSHIPS.

1.—ERECTION OF NEW TOWNSHIPS.

25. In case a Township is laid out by the Crown in territory forming no part of an Incorporated County or Union of Counties, the Governor may by Proclamation erect such

New Townships beyond the limits of

Incorporated Counties may be attached thereto.

Township, or two or more of such Townships lying adjacent to one another, into an Incorporated Township or Union of Townships, and annex the same to any adjacent Incorporated County; and such proclamation shall appoint the Returning Officer who is to hold, and the place for holding, the first Election in such Township or Union of Townships. 5

2.—SEPARATION OF UNITED TOWNSHIPS.

Junior Township containing less than 100 freeholders, &c., to become a separate Municipality.

26. When a Junior Township of an incorporated Union of Townships has one hundred resident freeholders and householders on the assessment-roll as last finally revised and passed, such Township shall, upon the first day of January in the year next but one thereafter, become separated from the Union. 10

When Junior Township containing less than 100, but exceeding 50, may be separated and how

27. In case a Junior Township, had at least fifty but less than one hundred resident freeholders and householders on the last revised assessment-roll, and two-thirds of the resident freeholders and householders of such Junior Township, petition the Council of the County to separate such Township from the Union to which it belongs; and in case the Council considers the Township to be so situated, with reference to streams or other natural obstructions, that its inhabitants cannot conveniently be united with the inhabitants of an adjoining Township for Municipal purposes,—the Council may, by By-law, separate the same from the Union; and the By-law shall name the Returning Officer who is to hold, and the place for holding, the first Election under the same. 15 20

3.—ANNEXATION OF GORES.

The Governor may annex Gores to adjacent Townships.

28. The Governor may, by Proclamation, annex to any Township, or partly to each of more Townships than one, any Gore or small tract of land lying adjacent thereto and not forming part of any Township, and such Gore or tract shall thenceforward for all purposes form part of the Township to which it is annexed. 25 30

4.—ANNEXATION OF NEW TOWNSHIPS.

New Townships, &c., within the limits of Incorporated Counties, to be annexed to adjacent Townships and how.

29. In case a Township is laid out by the Crown in an incorporated County or Union of Counties; or in case there is any Township therein not incorporated and not belonging to an incorporated Union of Townships,—the Council of the County or United Counties shall, by By-law unite such Township for Municipal purposes, to some adjacent incorporated Township or Union of Townships in the same County, but not in any other County of the Union; and if such adjacent Township or adjacent Union is divided into Wards, then also to one Ward or partly to each of two or more Wards thereof. 35 40

30. In case of there being at any time in an incorporated County or Union of Counties two or more adjacent Townships not incorporated and not belonging to an incorporated Union of Townships; and in case such adjacent Townships have together not less than one hundred resident freeholders and 5 householders within the same,—the Council of the County or Union of Counties may, by By-law, form such Townships into an independent Union of Townships.

Townships not incorporated or united may be formed into unions, and how.

SENIORITY OF TOWNSHIPS.

31. Every Proclamation and By-law forming Unions of Townships shall designate the order of seniority of the Townships so united, and the Townships of such Union shall be 10 classed in such By-law according to the relative number of freeholders and householders on the last revised assessment-roll.

Seniority of Townships how regulated.

COUNTIES.

1.—NEW COUNTIES.

32. The Governor may, by Proclamation, form into a new 15 County, any new Townships not within the limits of any Incorporated County, and may include in the new County one or more unincorporated Townships or other adjacent unorganized Territory, (defining the limits thereof) not being within an Incorporated County or Union of Counties, 20 and may annex such new County to any adjacent Incorporated County or Union of Counties; or in case there is no adjacent Incorporated County, or in case the Governor in Council considers the new County, or any number of such new Counties lying adjacent to one another and not belonging to 25 any Incorporated Union, so situated that the Inhabitants cannot conveniently be united with the inhabitants of any adjoining Incorporated County for Municipal purposes, the Governor may, by such Proclamation, erect the new County, or new adjacent Counties into an independent County or Union of 30 Counties for the said purposes, and the Proclamation shall name the new County or Counties.

New Counties how formed by proclamation and annexed or united.

UNITED COUNTIES.

1. SENIORITY OF.

33. In every Union of Counties, the County in which the County Court House and Gaol are situate, shall be the Senior County, and the other County or Counties of the Union shall be 35 the Junior County or Counties thereof.

Seniority of United Counties how regulated.

2—LAWS APPLICABLE TO.

34. During the Union of Counties, all Laws applicable to 40 Counties (except as to representation in Parliament and Regis- cable to

Laws applicable to

unions of Counties, tration of Titles) shall apply to such Union as if the same formed but one County.

3.—VENUE IN.

Venue how laid in unions of Counties. **35.** In the case of United Counties, the Venue in any Judicial proceedings shall be laid in the proper County of the Union (naming it) and describing it as one of the United Counties of , and in such case the Jury for the trial of any issue, Civil or Criminal, or the assessment of any damages, shall be summoned from the body of the United Counties. 5

ERECTION OF PROVISIONAL MUNICIPAL CORPORATIONS AND SEPARATION OF JUNIOR COUNTIES.

1.—PRESIDING MEMBER—FIRST MEETING—COUNTY TOWN.

Separation of United Counties by Proclamation appointing place of meeting and presiding officer. **36.** When the Census Returns taken under any Act of Parliament or under the authority of a By-law of the Council of 10 any United Counties, show that the Junior County of the Union contains not less than fifteen thousand inhabitants, then, if a majority of the Town Reeves and Deputy Town Reeves of such County do, in the month of February in two successive years, pass a resolution affirming the expediency of the County being separated from the Union; and if in the month of February in the following or third year, two-thirds of the Reeves transmit to the Governor in Council a petition for such separation, the Governor may, by Proclamation setting forth those facts, constitute the Reeves and Deputy Reeves for such County a Provisional Municipal Council, and in such Proclamation appoint a time and place for the first meeting of the Council, and therein name one of its Members to preside at such meeting, and also, therein determine the place for and the name of the County Town. 15 20 25

Who to preside till Warden chosen. **37.** The Member so appointed shall preside in the Council until a Provisional Warden is by the Council elected from among the members thereof.

2.—PROVISIONAL OFFICERS.

Appointment of Provisional Warden, &c. **38.** 1. Every such Council shall from time to time appoint a Provisional Warden, a Provisional Treasurer, and such other Provisional Officers for the County, as the Council deems necessary; 30

2. The Provisional Warden, shall hold office until his term of Office as such Warden expires;

3. The Treasurer and other Officers so appointed shall hold Office until removed by the Council. 35

3.—PURCHASE OF PROPERTY.

39. Every Provisional Municipal Council may acquire the necessary property at the County Town of the Junior County on which to erect a Court House and Gaol, and may erect a Court House and Gaol thereon, adapted to the wants of the County and in conformity with any statutory or other rules and regulations respecting such buildings, and may pass By-laws for such purposes.

Provisional Councils may acquire lands for Gaols and Court Houses.

4.—POWERS OF THE UNION NOT TO BE INTERFERED WITH.

40. The powers of a Provisional Council shall not interfere with the powers of the Council of the Union, and any money raised by the Provisional Council in the Junior County shall be independent of the money raised therein by the Council of the Union.

Powers of Provisional Council not to interfere with powers of union.

5.—DEBTS OF THE UNION.

41. After a Provisional Council has procured the necessary property and erected thereon the proper buildings for a Court House and Gaol, such Council may enter into an agreement with the Senior or remaining County or Counties for payment to such County or Counties of any part of the debts of the Union as may be just, and for determining the amount to be so paid and the times of payment.

Agreement as to debts upon dissolution.

42. No Member of the Provisional Council shall vote or take any part in the Council of the Union on any question affecting such agreement or the negotiation therefor.

When Provisional Councilors prohibited voting.

43. In case such Councils do not then agree as to the amount or periods of payment, the matter shall be settled between them by Arbitration under this Act; And the Junior County shall pay to the Senior or remaining County or Counties of the Union the amount so agreed upon or settled, and such amount shall bear interest from the day on which the Union is dissolved, and shall be provided for, like other debts, by the Council of the Junior County after being separated.

Arbitration.

Payment of debts upon dissolution. Debt to bear interest.

6.—GOVERNOR TO APPOINT JUDGES, &C.

44. After the sum to be paid by the Junior County to the Senior or remaining County or Counties has been paid or ascertained by agreement or arbitration, the Governor in Council shall appoint for the Junior County, a Judge, a Surrogate, a Sheriff, one or more Coroners, a Clerk of the Peace, a Registrar, and at least twelve Justices of the Peace, and shall provide, in the Commission or Commissions, that the appointments are to take effect on the day the Counties become disunited.

Terms and time of separation.

Judge, &c

Sheriff.

45. The Sheriff so appointed shall, within six Calendar months after the dissolution of the Union, make the affidavit of qualification and give the securities required by law: and if he makes default therein, his office shall at the expiration of such six months become vacant.

Registrar.

46. The Office for the Registry of Deeds shall be kept in the County Town in like manner as in other Counties.

WHEN A JUNIOR COUNTY MAY BE SEPARATED.

United Counties, when and how to be separated by Proclamation.

47. After such appointments are made, the Governor may, by proclamation, separate the Junior County from the Senior or remaining County or Counties, and shall declare such separation to take effect on the first day of January next after the end of three calendar months from the date of the Proclamation; and on the aforesaid day the Courts and officers of the Union shall cease to have any Jurisdiction in such Junior County, and the property of the Corporation of the Union situate in the Junior County shall become the property of the Corporation of the Junior County; and the property situate in the remaining County or United Counties shall be the property of the Corporation of such remaining County or United Counties.

Property how divided.

8.—VENUE.

Trials after dissolution of unions to be as ordered by the Court or a Judge.

48. If upon the dissolution of a Union of Counties, there is pending any action, information, indictment or other Judicial proceeding to be tried by a Jury in which the Venue is laid in a County of the Union, the Court in which the action, information or indictment is pending, or any Judge who has authority to make orders therein may, by consent of parties, or on hearing the parties upon affidavit, order the Venue to be changed to the new County, and all records and papers to be transmitted to the proper officers of such County, and in the case of any such indictment found at any Court of Oyer and Terminer and General Gaol Delivery, any Judge of either of the Superior Courts of Common Law, may make such order.

If no special order made.

49. In case no such change is directed, all such actions, informations, indictments and other judicial proceedings shall be carried on and tried in the Senior County.

9.—COURTS IN

Place for holding Courts after separation.

50. All Courts of the Junior County required to be held at a place certain, shall be held in the County Town of such Junior County.

10.—PERSONS IN PRISON.

Indictable offences how

51. Any person charged with an Indictable offence who, at the time of the disuniting of a Junior from a Senior

County, is imprisoned on such charge in the Gaol of the Senior County, or is under Bail or Recognizance to appear for Trial at any Court in the Senior County and against whom no indictment as been found before such disunion takes place, shall be indicted, tried and sentenced in the Senior County, unless a Judge of one of the Superior Courts of Common Law orders the proceedings to be conducted in the Junior County, in which event the prisoner or recognizances (as the case may be) shall be removed to the latter County and the proceedings be had therein ; and when in any such case the offence is charged to have been committed in a County other than that in which such proceedings are had the venue may be laid in the proper County describing it as formerly "one of the United Counties of, &c."

11.—PERSONS ON BAIL.

52. Any person arrested or held to Bail, under Civil Process before the separation of a Junior from a Senior County and liable to be imprisoned, shall be so imprisoned in the Gaol of the County in which he was arrested, and all proceedings in any Suit or Action in which any person was so arrested or held to Bail and all proceedings after judgment founded upon such Arrest or holding to Bail shall be carried on as if the Arrest or holding to Bail, had taken place in such County as a separate County, and in case the proceedings are to be had in the Junior County, all the records and papers relative to the case shall be transmitted to the proper Officer of the Junior County.

Proceedings in Civil cases under Bailable process.

12.—PERSONS ON THE GAOL LIMITS.

53. In case a debtor or other person has been (in manner prescribed by law) admitted to the Gaol limits of a Union of Counties, and such Union is afterwards dissolved, or one or more Counties are separated from such Union, such debtor or person may notwithstanding, travel and reside in any portion of the said Counties as if no dissolution or separation had taken place, without committing a breach of any Bond or the condition thereof, or a forfeiture of any security given for the purpose of obtaining the benefit of such limits ; and in case any such person after the dissolution of the Union is surrendered or ordered to be committed to close custody, he shall be surrendered or committed to the Sheriff of the County in which he was arrested and be imprisoned in the Gaol thereof.

Privileges of persons admitted to gaol limits saved on dissolution.

13.—WHEN PROVISIONAL COUNCILS, OFFICERS, &C., TO BECOME ABSOLUTE.

54. When a junior County is separated from a Union of Counties, the Head and members of the Provisional Council of such junior County, and the officers, by-laws, contracts, property, assets and liabilities of the Provisional Corporation, shall be the Head and members of the Council, and the officers

Officers and property, &c., continued.

by-laws, contracts, property, assets and liabilities of the new Corporation.

BY-LAWS, DEBTS AND RATES OF FORMER UNIONS OF COUNTIES
OR TOWNSHIPS AFTER BEING DISSOLVED.

By-laws to continue in Counties and Townships.

55. When a junior County or Township is separated from a senior County or Township, the By-laws of the Union shall continue in force in the several Counties or Townships which composed the Union until altered or repealed by the Council or Councils of the same respectively. 5

Upon dissolution of Township unions, the Junior to pay a just portion of the debts of the Union.

56. After the dissolution of any Union of Townships, the junior Township shall pay to the senior or remaining Township or Townships, such part (if any) of the debts of the Union as may be just; and in case the Councils of such Townships do not within three months after the first meeting of the Council of the junior Township, agree as to the sum to be paid, or as to the times of payment thereof, the matter shall be settled by Arbitration under this Act. 15

How to be determined.
To bear Interest.

57. The amount so agreed upon or settled shall bear interest from the day on which the Union was dissolved; and shall be provided for by the Council of the junior Township like other debts.

Liability of Unions for debts at the time of dissolution.

58. In case of the separation of a County or Township from a Union of Counties or Townships, each County or Township which formed the Union shall remain liable to the debts and liabilities of the Union as if such debts had been contracted or incurred after the dissolution by the respective Counties or Townships which constituted such Union. 25

Debentures to issue for such debts and to bind the old and new Municipalities.

59. After such dissolution, the Council of the senior or remaining County or Township shall issue its debentures or other obligations for any part of any debt contracted by the Union for which such debentures or other obligations might have been but had not been issued before the dissolution; and such debentures or obligations shall recite or state the liability of the junior County or Township therefor under this Act; and such Junior County or Township shall be liable thereon as if the same had been issued by the Junior County or Township. 30

Assessments for year preceding dissolution who to belong to.

60. All assessments imposed by the Council of the Union for the calendar year next before the year in which the dissolution takes effect, shall belong to the Union and shall be collected and paid over accordingly, and after such dissolution, all special rates for the payment of debts theretofore imposed by any By-law of the Union shall continue to be levied in the junior County or Township; and the Treasurer of such junior County or Township shall pay over the amount as received, to the Treasurer of the senior County or Township, and the latter shall apply the money. 40

Special rates for debts continued to be paid over

so received in the same manner as the money raised under the same By-law in the senior County or Township. by Treasurer of the Junior County.

61. In case the amount so paid over to the Senior County or Township or to any creditor of the Senior County or Township in respect of a liability of the Union, exceeds the sum which, by the agreement or award between the Councils the junior County or Township ought to pay, the excess may be recovered against the senior or remaining County or Township as for money paid or as for money had and received, as the case may be. If the sum paid over exceeds the just amount, the excess to be refunded.

MUNICIPAL COUNCILS, &c., OF WHOM COMPOSED.

1.—THE HEADS.

62. The Head of every County and Provisional Corporation shall be designated the Warden thereof, and of every City and Town the Mayor thereof, and of every Township and Incorporated Village the Town Reeve thereof. Heads of Counties, &c.

2.—THE MEMBERS.

1.—IN CITIES.

63. 1. The Council of every City shall consist of the Mayor who shall be the Head thereof, and of two Aldermen and two Councilmen for every Ward ; Cities.

2.—IN TOWNS.

And the Council of every Town, shall consist of the Mayor who shall be Head thereof, and of three Councillors for every Ward, one of whom shall be Reeve, and if the Town had the names of five hundred electors on the last revised assessment roll, then one other of such Councillors shall be Deputy Reeve ; Towns.

3.—IN INCORPORATED VILLAGES.

And the Council of every Incorporated Village shall consist of five Councillors, one of whom shall be Reeve, and if the Village had the names of five hundred electors on the last revised assessment-roll, then one other of such Councillors shall be Deputy Reeve ; Villages.

4.—IN TOWNSHIPS.

And the Council of every Township shall consist of five Councillors ; but when such Township is divided into Wards, then, of one Councillor for each Ward, one of which Councillors shall be Reeve, and if the Township had the names of five hundred electors on the last revised assessment-roll, then one other of such Councillors shall be Deputy Reeve ; Townships, and Wards.

5.—IN COUNTIES.

Counties.

The Council of every County shall consist of the Town Reeves and Deputy Town Reeves of the Townships, Towns and Villages within the County, one of whom shall be the Warden.

County Councils.

Certificates to be filed by Reeves and Deputy Reeves.

64. No Town or Deputy Town Reeve shall take his seat in the County Council until he has filed with the Clerk of the County Council a Certificate under the hand and seal of the Township, Village or Town Clerk, (*as the case may be*) that such Reeve was duly elected and had taken the Oath of Office and the Oath of qualification, (unless exempted therefrom,) as such Reeve or Deputy Reeve; nor in the case of a Deputy Town Reeve until he has also filed with the Clerk of the County an affidavit or affirmation of the Clerk, or other person having the legal custody of the last revised Assessment-Rolls for the Municipality which he represents, that there appear upon such Rolls the names of at least five hundred resident Freeholders and Householders in such Municipality [*as the case may be.*]

Trustees of Police Villages.

65. The Trustees of every Police Village shall be three in number, one of whom shall be the Inspecting Trustee.

PROVISIONAL COUNCILS,

WHO TO COMPOSE.

Provisional Council Reeves and Deputy Reeves to be.

66. The Town Reeves and Deputy Town Reeves of the Municipalities within a Junior County for which a Provisional Municipal Council is established shall, *ex officio*, be the members of such Provisional Council.

QUALIFICATION OF MUNICIPAL COUNCILLORS AND POLICE TRUSTEES.

Qualification of Councillors, &c.

67. The persons qualified to be elected Mayors, members of a Council or Police Trustees, are such of the Electors of the Municipality or Police Village as are not disqualified under the Seventy-first section of this Act, and have, at the time of the election, in their own right or in the right of their wives as proprietors or tenants, freehold or leasehold property rated in their own names on the last revised Assessment-Roll to at least the value following :

In Townships.

In Townships—Freehold to one hundred pounds, or Leasehold to Two hundred pounds ;

In Police Villages.

In Police Villages—Freehold or Leasehold to One hundred pounds ;

In Incorporated Villages.

In Incorporated Villages—Freehold to Ten pounds per annum, or Leasehold to Twenty pounds per annum ;

7 In Towns—Freehold to Twenty pounds per annum, or Leasehold to Forty pounds per annum; In Towns.

And in Cities,—for Aldermen—Freehold to Forty pounds per annum, or Leasehold to Eighty pounds per annum: and for 8 Councilmen—Freehold to Twenty pounds per annum or Leasehold to Forty pounds per annum. In Cities.

The term "Leasehold" in this Section shall not include a term less than a Tenancy for a year, or from year to year. "Leasehold" defined.

68. In case of a new Township erected by Proclamation for which there has been no Assessment-Roll, every person who 10 at the time of the first election has such an interest in real property and to such an amount as herein before mentioned, shall be deemed to be possessed of a sufficient property qualification. In new Township not having assessment-roll.

69. In case in a Municipality not divided into Wards, there are not at least two persons qualified to be elected for 15 each seat in the Council, no qualification beyond the qualification of an elector shall be necessary in the persons to be elected. Want of a double number of qualified persons to fill the office of Councillor provided for

70. In case, in a Municipality divided into Wards, there are not at least two persons in the Municipality qualified to be 20 elected for each seat in the Council, no qualification beyond that of an Elector, shall be necessary in the Candidates for any Ward, for which Ward there are not two Candidates for the office to be filled by one Member—as Aldermen—Councillor, &c., properly so qualified Ward elections in like cases provided for.

DISQUALIFICATIONS.

71. No Judge of any Court of Civil Jurisdiction; no 25 Naval or Military Officer on full pay; no person receiving any allowance from the Corporation (except as Mayor, Warden, Town Reeve, Deputy Town Reeve, or Township Councillor or in some capacity incident thereto); and no person having by 30 himself or his partner an interest in any contract with or on behalf of the Corporation, shall be qualified to be a Member of the Council of such Corporation. Disqualifications.

EXEMPTIONS.

72. All persons over sixty years of age; all Members of the Legislative Council and of the Legislative Assembly; all 35 persons in the Civil Service of the Crown; all Judges, Sheriffs, Coroners, Gaolers and Keepers of Houses of Correction; all persons in Priests' Orders, Clergymen and Ministers of the Gospel of every denomination; all Members of the Law Society of Upper Canada, whether Barristers or Students; all Attorneys and Solicitors in actual practice; all Officers of Courts of Jus- 40 tice; all Members of the Medical Profession, whether Physi- Exemptions.

cians or Surgeons ; all Professors, Masters, Teachers and other Members of any University, College or School in Upper Canada, and all officers and Servants thereof ; all Millers ; and all Firemen belonging to an authorized Fire Company—are exempt from being elected or appointed Councillors or to any other Corporate Office. 5

ELECTORS.

Electors,
qualificatio
of.

73. The Electors of every Municipality for which there is an assessment-roll, and the Electors of every Police village, shall be such of the male freeholders and householders thereof, as are resident therein, and are natural-born or naturalized subjects of Her Majesty, and of the full age of twenty-one years, and were severally rated, on the last revised assessment-rolls, for real property in the Municipality or Police village, held in their own right or that of their wives as proprietors or tenants. 10

74. In Cities, Towns and Incorporated Villages, such real property, whether freehold or leasehold, or partly each, must have been so rated as of at least the annual value following :

In Incorporated Villages, Three Pounds ;

In Towns, Five Pounds ; and

In Cities, Seven Pounds Ten Shillings. 20

In newly
erected Town-
ships not
having any
assessment-
rolls.

75. At the first election for a New Township or Union of Townships for which there is no assessment-roll, every resident male inhabitant though not previously assessed shall be entitled to vote if he possesses the other qualifications above mentioned, and has at the time of the election sufficient property to have entitled him to vote if he had been rated for such property ; and every person claiming to vote shall name the property on which he votes, and the Returning Officer, at the request of any Candidate or voter, shall note such property in his poll book opposite the voter's name. 25 30

Wards where
electors to
vote in.

76. When a Municipality is divided into Wards, no elector shall vote in more than one Ward ; and if entitled to vote in the Ward in which he resides, he shall not be entitled to vote in any other Ward.

When land-
lord and
tenant both
rated.

77. In case both the owner and occupant of any real property are rated therefor, both shall be deemed rated within this Act. 35

When joint
owners rated
together.

78. When any real property is owned or occupied jointly by two or more persons, and is rated at an amount sufficient, if equally divided between them, to give a qualification to each, then each shall be deemed rated within this Act, otherwise none of them shall be deemed so rated.

ELECTIONS

1.—THE HOLDING OF, IN CERTAIN PLACES PROHIBITED.

79. No part of any City, Town or Incorporated Village, shall for the purposes of this Act form part of any Township, and no Election of Township Councillors shall be held within any such City, Town or Village, nor shall any Election for a Municipality or any Ward thereof be held in a tavern or house of public entertainment licensed to sell spirituous liquors.

Cities, Towns and Incorporated Villages not to form parts of Townships.

Elections not to be held in Taverns.

2.—FIRST ELECTIONS IN NEW OR EXTENDED MUNICIPALITIES.

80. 1. In case of the Incorporation of a new Township or Union of Townships by Proclamation, and

First elections where Corporations are newly erected or extended.

2. In case of the separation of a junior Township from a Union of Townships, and

3. In case of the erection of a Police Village into an Incorporated Village or of the erection of a Village into a Town or of a Town into a City, and

4. In case of an additional tract of land being added to an Incorporated Village, Town or City, or in case of a new division into Wards of a Town or City.

5. In each of the foregoing cases, the first election under the Proclamation or By-law by which the change was effected, shall take place on the first Monday in January next after the end of three calendar months from the date of the Proclamation or from the passing of the By-law, (*as the case may be*), and until such day the change shall not go into effect.

Time of Elections.

3.—SUBSEQUENT ELECTIONS.

81. Every Election, whether annual or other, shall be held in the Municipality or Police Village to which the same relates, and when the Municipality has been divided into Wards the election shall be by Wards, and each Ward election shall be held within the Ward.

Places of Elections.

82. The Council of every Municipality (including a Village newly erected into a Town, and a Town newly erected into a City) shall from time to time by By-law, appoint the place or places for holding the next ensuing Municipal Election, otherwise the Election shall be held at the place or places at which the last Election for the Municipality or Wards was held.

To be fixed by By-law for Municipalities.

83. The Council by which a Police Village is established shall, by the By-law establishing the same, name the place in the Village for holding the Election of Police Trustees.

Also for Police Villages.

Yearly elections of Councillors and Police Trustees.

84. The Electors of every Municipality (except a County) shall elect annually on the first Monday in January, the Members of the Council of the Municipality, and, on the second Monday in January, the Electors of every Police Village shall annually elect the Police Trustees of the Village, and the persons so elected shall hold office until their successors are elected or appointed and sworn into office and the new Council or Board of Police Trustees is organized. 5

First Election in junior Township after separation.

85. When a junior Township of a Union has one hundred resident freeholders and householders on the last revised assessment-roll, the Council of the County shall, by a by-law to be passed within the first nine months of the following year, fix the place for holding the first annual election of Councillors in such Township, and appoint a Returning Officer for holding the same and otherwise provide for the due holding of such election according to law. 10 15

Ward Elections to continue in Senior Township if there remain after the separation five wards and portions of Wards, &c.

86. In case after the separation of a Union of Townships there are left five Wards or portions of Wards in the remaining Township or Townships composed of former Wards or portions of former Wards of the Union, such Wards and portions of Wards respectively shall continue to be the Wards of such Township or Townships until otherwise remodelled under this Act, and the elections of Councillors shall be by such Wards and portions of Wards in like manner as if all continued full Wards as before the separation. But in case there are not left to the remaining Township or Townships, five Wards composed as aforesaid, then upon such separation, the existing division into Wards shall cease as if the same had been duly abolished by by-law, and the elections of Councillors shall be by general vote until such Township or Townships are again divided into Wards under the provisions of this Act. 20 25 30

Where elections to be held in Townships not divided into Wards.

87. When there is no existing division of a Township into Wards, the election of Councillors shall be by general vote, and if no other place has been appointed for holding such Election the same shall be held at the place where the last election was held in the Township, or in the senior Township of the Union, (as the case may be,) and such place shall continue to be the place for holding such Election until altered by by-law. 35

RETURNING OFFICERS.

Returning Officers to be appointed by the Municipal Council.

88. The Council of every Municipality in which the election is to be by Wards (including a Village erected into a Town and a Town erected into a City,) shall from time to time by By-law appoint Returning Officers to hold the next ensuing elections. 40

1.—WHEN CLERKS TO BE [EX-OFFICIO] RETURNING OFFICERS.

89. In the case of a Municipality in which the election is not to be by Wards, the Clerk shall be the Returning Officer at all elections after the first.

When Clerk to be ex officio Returning Officer.

2.—RETURNING OFFICERS FOR THE FIRST ELECTION IN VILLAGES.

90. In Every By-Law establishing a Police or Incorporated Village a Returning Officer shall be appointed who is to hold the first election for such Village.

For first election in Villages.

91. In Police Villages, after the first election, the Trustees thereof, or any two of them, shall, from time to time, by writing under their hands, appoint the Returning Officer.

After 1st Election Police Trustees to appoint.

3.—IF RETURNING OFFICER ABSENT.

92. In case at the time appointed for holding any election the person appointed to be Returning Officer has died, or does not attend to hold the election within an hour after the time appointed, or in case no Returning Officer has been appointed, the electors present at the place for holding the election may choose from amongst themselves a Returning Officer, and such Returning Officer shall have all the powers and shall forthwith proceed to hold the election and perform all the other duties of a Returning Officer.

The absence of the Returning Officer provided for.

4.—THE RETURNING OFFICER TO BE A CONSERVATOR OF THE PEACE.

93. The Returning Officer shall, during the election, act as a Conservator of the Peace for the City or County in which the election is held; and he, or any Justice of the Peace having jurisdiction in the Municipality in which the election is held, may cause to be arrested, and may summarily try and punish by fine or imprisonment, or both, or may imprison or bind over to keep the peace, or for trial, any riotous or disorderly person who assaults, beats, molests or threatens any voter coming to, remaining at, or going from such election; and, when thereto required, all constables and persons present at the election, shall assist such Returning Officer or Justice of the Peace, on pain of being guilty of a misdemeanor.

Returning Officers to be conservators of the peace.

5.—MAY SWEAR IN SPECIAL CONSTABLES.

94. The Returning Officer or Justice of the Peace may appoint and swear in any number of Special Constables to assist in the preservation of the peace and of order at the election; and any person liable to serve as Constable and required to be sworn in as a Special Constable by the Returning Officer or Justice shall, if he refuses to be sworn in or to serve, be liable to a penalty of

Special Constables may be sworn in.

five pounds, to be recovered to the use of any one who will sue therefor.

PROCEEDINGS AT ELECTIONS.

Elections how conducted. **§5.** The proceedings at Elections shall be as follow :

1. Every Returning Officer shall, unless otherwise provided by law, give at least ten days previous notice of the election to be held by him, by posting such notice in at least four public places in the Municipality, Ward or Police Village, (*as the case may be*) ;

The clerk to deliver copies of the Assessment Rolls to the Returning Officer.

2. The Clerk of the Municipality shall deliver to the Returning Officer who is to preside at the Election for the same, or for every or any Ward thereof, (*as the case may be*) a correct copy of so much of the last revised Assessment Roll for such Municipality or Ward as contains the names of all male Freeholders and Householders rated upon such Roll in respect of real property lying in such Municipality or Ward, with the assessed value of the real property for which every such person is so rated ;

With his affidavit verifying the same.

3. The Clerk shall deliver with such copy his affidavit or affirmation, to the effect that such copy is a true copy of so much of the said Roll as relates to such Municipality or Ward, and contains the names of all Male Freeholders and Householders rated upon such Roll in respect of real property lying in such Municipality or Ward, with the assessed value of the real property, for which they are so rated respectively ;

Township Clerk to deliver assessment roll to Returning Officer for Police Villages.

4. The Township Clerk shall also deliver to the Returning Officer who is to preside at the Election for any Police Village in the Township, a correct copy of so much of the said assessment-roll as contains the names of all the resident male freeholders and householders in the Village, and the amount for which they are respectively assessed, together with a like affidavit or affirmation, verifying the same, as in the case of Municipal Elections ;

Poll book to be provided. Its contents.

5. The Returning Officer shall provide a poll-book ; and at every Election at which a poll is demanded, he, or his sworn poll-clerk, shall enter in such book, in separate columns, the names of the candidates proposed and seconded by any electors present at the Election, and shall, opposite to such columns, write the names of the electors offering to vote at such election, and shall, in each column in which is entered the name of a candidate voted for by any voter, set the figure " 1 " opposite the voter's name ;

Hour for commencing Elections.

6. The Returning Officer shall commence every Election at eleven of the clock in the forenoon ;

7. The Returning Officer may close the Election in one hour after commencing the same, if within that time no more candidates are proposed than by his writ he is to return ; but in case there are more Candidates and a poll is demanded he shall keep open the Election until four of the clock in the afternoon of the first day and then adjourn, the same until ten of the clock in the forenoon of the next day, not being a Sunday, or a legal Holy-day, and continue the same till four of the clock in the afternoon thereof, and no longer ; but if in the meantime he sees that all the electors intending to vote have had a fair opportunity of being polled, and if one full hour at one time has elapsed without any qualified elector during that time giving or tendering his vote, free access having been allowed to electors for the purpose, such Returning Officer may close the Election at four o'clock of the first day, or at any earlier hour of the second day ;

Hours for closing.

WHAT OATHS HE MAY ADMINISTER.

8. The Returning Officer may administer all oaths or affirmations necessary at the election.

Returning Officer may administer oaths.

OATHS AND QUESTIONS THAT MAY BE PUT TO ELECTORS.

9. At any election or at any public vote in respect of a By-law which requires the assent of the electors, the only oaths or affirmations to be required of any person claiming to vote, and appearing by the last revised assessment-roll (if any,) to have the necessary property qualification, are, that he is, of the full age of twenty-one years—and is a natural-born or naturalized subject of Her Majesty—that he is a resident within the Township, Village or Ward (*as the case may be*) for which the election is held, or vote taken, and that he has not before voted at the election or on such By-law (*as the case may be*) ; and that he is the person named in the last revised assessment-roll : (*or, in case of a new Township in which there has not yet been any assessment-roll*) that he is a freeholder or householder, (*as the case may be,*) in (*naming the property*) entitling him to vote at the election. And no inquiries shall be made of any such person except with respect to the facts specified in such oaths or affirmations.

The only oaths to be required of voters.

10. The Returning Officer shall, at the close of the poll, add up the number of votes set down for each candidate, except for the office of Mayor in Cities and Towns, and shall publicly declare the same, beginning with the candidate having the greatest number, and so on with the others, and shall thereupon publicly declare elected the candidate or candidates respectively standing highest on the Poll ;

Returning Officer to declare result of the Election.

11. In case two or more candidates have an equal number of votes, the Returning Officer, whether otherwise qualified or not, When to have casting vote.

shall give a vote for one or more of such candidates, so as to decide the Election ; and, except in such case, no Returning Officer shall vote at any Election held by him.

Poll books to be returned to the clerk.

96. The Returning Officer shall, after the close of the Election, return the poll-book to the Clerk of the Municipality from whom he received the copy of the assessment roll, and also his affidavit or affirmation thereto annexed, that such poll-book contains a true statement of the poll, and his certificate of the persons, naming them, who have been duly elected. 5

If Election riotously broken up, to be resumed.

97. In case through a Riot or other emergency an Election is not commenced on the proper day or is interrupted after being commenced and before the lawful closing thereof, the Returning Officer shall resume the Election on the following day at the hour of ten o'clock in the forenoon, and continue the same from day to day if necessary, until the poll has been open without interruption and with free access to voters, for twelve hours in all, or thereabouts, in order that all the Electors so intending may have had a fair opportunity to vote. 10 15

If Election is prevented for four days, Poll book to be returned and a new Election to be ordered.

98. But in case the Election has not, by the end of the fourth day from the day the same commenced or should have commenced, been kept open for the necessary time, the Returning Officer shall not return any person as elected, but shall return his poll book on the following day to the Clerk of the Municipality, certifying the cause of there not having been an Election, and a new Election shall take place. 20 25

ELECTION OF MAYORS OF CITIES AND TOWNS.

Election of Mayors.

99. Mayors of Cities and Towns shall be chosen by the electors of such Cities and Towns at the Annual Election to be held on the first Monday in January.

Qualification of.

100. The qualification of a Mayor shall be the same as that of an Alderman in Cities, and of a Councillor in Towns. 30

Time and place for nominating.

101. A meeting shall take place for the nomination of candidates for the Mayoralty, at the City or Town Hall, on the last Monday but one in the month of December before the Annual Election, at ten of the clock in the forenoon.

The Clerk to preside.

102. The City, or Town Clerk respectively shall preside at such meeting, or, in case of his absence, the Council shall appoint a person to preside in his place. If the Clerk or the person so appointed does not attend, the electors present shall choose a Chairman or person to officiate from among themselves. 35 40

With powers of a Returning Officer.

103. Such Clerk or Chairman shall have all the powers of a Returning Officer.

- 104.** If only one qualified candidate is proposed by any elector present at such meeting, the Clerk or Chairman shall declare such Candidate duly elected Mayor. If only one candidate proposed.
- 105.** If more candidates than one are proposed, and if a poll is demanded, the Clerk or Chairman shall on the following day post up in the Office of the Clerk the names of the persons proposed, and give notice thereof to the Returning Officer for every Ward. If a Poll is demanded the election to be by Wards.
- 106.** In case of a contest in an Election for the office of Mayor, the Returning Officer for every Ward shall keep the poll open for the full time required by law for taking the votes, though there may be no contest for the other offices for which he holds the Election. Duration of Poll.
- 107.** Every Returning Officer shall enter in his poll-book, in separate columns, the names of the candidates for the office of Mayor, as well as the names of the candidates for the offices of Aldermen and Councilmen, in Cities, or of Councillors, in Towns, (*as the case may be,*) and shall, in the column in which is entered the name of a candidate for Mayor voted for by any voter, set the number 1 opposite the voter's name. Poll books to be kept.
- 108.** Each Returning Officer shall, on the day after the close of the poll, return the poll-book to the City or Town Clerk, verified as to the election of Mayor as well as in the other particulars required by this Act. And returned to the clerk.
- 109.** The City or Town Clerk, shall add up the number of votes set down for each candidate for Mayor in the respective poll books so returned and ascertain the aggregate number of such votes, and in case a poll has been taken and the poll books have been returned for every Ward, the Clerk shall, at the City or Town-Hall at noon of the day following the return of the poll books, declare elected the candidate having the majority of votes so ascertained. Returning Officer to add up Poll and declare the result.
- 110.** In case there is no majority for any one candidate, the Clerk shall declare that two or more candidates, naming them, have an equal number of votes, or in case no return has been made for one or more Wards in consequence of no election having been held therein, or of the election having been interrupted through riot or other cause, he shall declare the want of returns for such Ward or Wards and the cause thereof. If no majority for either candidate.
- 111.** The Mayor elect shall take the necessary oaths on the day appointed for the first meeting of the Council, and shall afterwards administer the necessary oaths to the other members of the Council. Mayor to take oath of office on the 1st day of meeting.

All the Mem-
bers to be
sworn, &c.

112. No other business shall be proceeded with at the said meeting until the oaths have been administered to all the members who present themselves to take the same.

If votes for
Mayor equal.

113. In case two or more candidates for Mayor have an equal number of votes, the members of the Council shall take the necessary oaths before the Clerk, and shall after doing so organize themselves as a Council by electing as Mayor one of such candidates; the Clerk presiding at such Election. 5

If no return
for one or
more Wards a
temporary
Head to be
elected by the
Council.

114. In case no return is made for one or more Wards in consequence of non-election, owing to interruption by riot or other cause, the members of Council elect being at least a majority of the whole members of the Council when full, shall elect one of the Aldermen elect in Cities, or one of the Councillors elect in Towns, to be the Presiding Officer, at which election the clerk shall preside, and such Officer shall take the necessary oaths and possess all the powers of Mayor, until a poll for such Ward or Wards has been held under a warrant in the manner provided for in the 119th section of this Act. 15

When Poll
completed
clerk to add
up votes and
declare result,
when and
where.

115. When a Poll has been duly held in each of such Ward or Wards, and the poll books returned to the clerk, such clerk shall add up the number of votes for Mayor therein set down for the respective candidates and ascertain the aggregate number of votes for Mayor contained in such last mentioned poll books together with the votes contained in the poll books previously returned for the other Wards, and shall at noon on the next day, at the City or Town Hall, (*as the case may be*), declare elected Mayor, the candidate having the majority of votes so ascertained, or declare that there is an equality of votes for two or more candidates, (*as the case may be*). 25

In case of
equality, the
Council to
decide which
Mayor.

116. In case of such equality of votes, the Council shall appoint as Mayor one of the candidates between whom such equality exists. 30

117. The person so elected or appointed, shall forthwith take the oaths in manner provided for Mayors, and assume the office of Mayor accordingly. 35

ELECTION WHEN SEATS VACATED &c.

Seats vacated
by Insolvency,
absence, &c.

118. In case a Member of Council is declared a Bankrupt, or is charged in execution for debt and remains in close custody, or upon the Gaol Limits for one calendar month, or applies for Relief as an Insolvent Debtor, or compounds with his creditors, or absents himself from the meetings of the Council for three months without being authorized by a resolution of the Council entered on its minutes, his seat in the Council shall thereby become vacant. 40

119. In the cases provided for by the one hundred and fourteenth and one hundred and eighteenth sections, or in case a person elected to a Council neglects or refuses to accept office or to be sworn or affirmed into office within the time required, or in case a vacancy occurs in the Council caused by death, judicial decision or otherwise, the Head of the Council for the time being, or in case of his absence or of his office being vacant, the Clerk, or in case of the like absence or vacancy in the office of the Clerk, one of the Members of the Council shall Clerk, or Member, and under the Corporate Seal, require forthwith, by warrant under the signature of such Head, the Returning Officer appointed to hold the last Election for the Municipality or Ward, or any other person duly appointed to that office, to hold a new Election to fill the place of such person neglecting or refusing as aforesaid, or to fill the vacancy.

New Elections provided for.

120. The person thereupon elected shall hold his seat for the residue of the term for which his predecessor was elected or for which the office is to be filled.

121. In case such non-election, neglect or refusal as aforesaid, occurs previous to the organization of the Council for the year, the warrant for the new Election shall be issued by the Head or a Member of the Council for the previous year, or by the Clerk in like manner as provided for by the last preceding section, but such neglect or refusal, shall not interfere with the immediate organization of the new Council, provided a majority are present of the full number of the Council.

Non-election of Members not to prevent organization of Council.

122. The Returning Officer shall hold the new election at furthest within eight days after receiving the warrant, and shall, at least four days before the Election, post up a public notice thereof under his hand in at least four of the most public places in the Municipality or Ward, (*as the case may be.*)

Time for holding and notice of new Election.

APPOINTMENTS IF ELECTION NEGLECTED.

123. In case at any annual or other Election the Electors from any cause not provided for by the 97th and 98th sections, neglect or decline to elect the Members of Council for a Municipality on the day appointed, or to elect the requisite number of members, the other members of the Council, or if there are none, then the members for the preceding year or the majority of them respectively, shall appoint as many qualified persons as will constitute or complete the number of members requisite; and the persons so appointed shall accept office and be sworn in under the same penalty in case of refusal or neglect, as if elected

Appointment if election neglected or declined.

CONTESTED ELECTIONS OR APPOINTMENTS.

124. In case the validity of the election or appointment of a Mayor, Warden, Reeve, Alderman, Councilman, Councillor or

Trial of contested Elections.

Police Trustee, is contested: A Judge of either of the Superior Courts of Common Law may in Term time, or in Vacation, or the Senior or officiating Judge of the County Court of the County in which the election took place, may in vacation, try the validity thereof; and any candidate at the election, or any elector who gave or tendered his vote thereat, may be the Relator for the purpose. 5

1.—PROCEEDINGS FOR THE TRIAL THEREOF—

WHO TO BE RELATORS—WRIT OF QUO WARRANTO.

Time for limited and security and proof required.

1. If within six weeks after the election, or one calendar month after acceptance of office by the person elected, the Relator shews by affidavit to either of the said Superior Courts 10 in Term time or to any such Judge as aforesaid, reasonable grounds for supposing that the election was not conducted according to law, or that the person declared elected thereat was not duly elected, and if the Relator enters into a recognizance before such Court or Judge, or before a Commis- 15 sioner for taking bail in such Court in the sum of fifty pounds, with two sureties, (to be allowed as sufficient by such Court or Judge upon affidavit of justification,) in the sum of twenty-five pounds each, conditioned to prosecute the Writ with effect or to pay the party against whom the same is brought any costs 20 which may be adjudged to him against the Relator, such Court or Judge shall direct a Writ of Summons in the nature of a *quo warranto* to be issued to try the validity of such election.

For Writs of *quo warranto*.

When the Relator claims to be elected.

2. In case the Relator alleges that he himself or some other person has been duly elected, the Writ shall be to try the validity 25 of both the election complained of and the alleged election of the Relator or other person;

When several complained of.

3. In case the grounds of objection apply equally to two or more persons elected, the Relator may proceed by one Writ 30 against such person.

All to be tried by the same Judge.

4. Where more Writs than one are brought to try the validity of an election, all such Writs shall be made returnable before the Judge who is to try the first, and such Judge may give one judgment upon all or a separate judgment upon each one or 35 more of them, as he thinks fit;

2.—ISSUE OF WRIT AND PROCEEDINGS THEREON.

Writ, who to issue and return day thereof.

5. The Writ shall be issued by the Clerk of the process of the said Superior Courts, or by the deputy Clerk of the Crown in the County in which the election took place, and shall be returnable before the Judge in Chambers of the Superior Courts at Toronto, or before the Judge of the County Court at a place 40 named in the Writ, upon the eighth day after service computed

exclusively of the day of service; or upon any later day named in the Writ ;

6. The Judge, before whom the Writ is made returnable or is returned may if hethinks proper, order the issue of a Writ of Summons at any stage of the proceedings to make the Returning Officer a party thereto ;

Returning Officer may be made a party.

7. Every Writ under this Act shall be served personally, unless the party to be served keeps out of the way to avoid personal service, in which case the Judge upon being satisfied thereof by affidavit or otherwise, may make an order for such substitutional service as he thinks fit ;

Service to be personal unless excused by Judge.

8. The Judge before whom the Writ is returned, may allow the Council of the Municipality, or any person who was entitled to vote at the election, to intervene and defend the election, and may grant a reasonable time for the purpose. And any intervening party shall be liable or entitled to costs like any other party to the proceedings ;

The Council or an Elector. may intervene

9. The Judge shall, in a summary manner upon statement and answer without formal pleadings, hear and determine the validity of the election, and may by order cause the assessment-rolls, poll-books, and any other records of the election, to be brought before him, and may inquire into the facts on affidavit or affirmation, or by oral testimony, or by issues framed by him and sent to be tried by Jury by Writ of Trial directed to any Court named by the Judge, or by one or more of these means, as he deems expedient ;

A Judge shall try summarily.

10. In case the Election complained of is adjudged invalid, the Judge shall, by Writ, cause the person found not to have been duly elected to be removed ; and in case the Judge determines that any other person was duly elected, the Judge shall order a Writ to issue causing such other person to be admitted ; and in case the Judge determines that no other person was duly elected instead of the person removed, the Judge shall by such Writ cause a new Election to be held ;

And remove, admit or confirm.

11. In case the Election of all the Members of a Council is adjudged invalid, the Writ for their removal and the Election of new Members in their place, or for the admission of others adjudged legally elected, and an Election to fill up the remaining seats in the Council, shall be directed to the Sheriff of the County in which the Election took place ; and the Sheriff shall have all the powers for causing the Election to be held which a Municipal Council has in order to supply vacancies therein.

If all the Members ousted, &c., writ for new Election to go to the Sheriff.

12. Any person whose Election is complained of may, within one week after service on him of the Writ, transmit post

Defendant may disclaim.

How to proceed.

paid, through the Post Office directed " To the Clerk of Judge's Chambers, at Osgoode Hall, Toronto," or to " The Judge of the County Court, ' of the County of (as the case may be,) a disclaimer signed by him to the effect following :

" I, A. B., upon whom a Writ of Summons in the nature of 5
 " a *Quo Warranto* has been served for the purpose of contest-
 " ing my right to the office of Township Councillor, (or as the
 " case may be) for the Township of in the County
 " of (or as the case may be), do hereby disclaim the
 " said office, and all defence of any right I may have to the 10
 " same."

Dated the day of 185 .

Signed, A. B.

13. Such disclaimer or the envelope containing the same shall moreover be endorsed on the outside thereof with the word 15
 " Disclaimer," and be registered as such, at the Post Office where mailed ;

Disclaimer to be delivered to Clerk.

14. Every person so disclaiming shall deliver a duplicate of his Disclaimer to the Clerk of the Council, and such Clerk shall forthwith communicate the same to the Council ; 20

Costs provided for.

15. No costs shall be awarded against any person disclaiming as aforesaid unless the Judge is satisfied that such party consented to his nomination as a candidate or accepted the office in which cases the costs shall be in the discretion of the Judge ; 25

When discretionary.

16. In all cases, not otherwise provided for, costs shall be in the discretion of the Judge or Court ;

Judge to return his Judgment to the Court in Term.

17. The Judge shall, on the first day of the term next after his Judgment, return the Writ and Judgment with all things had before him touching the same into the Court 30
 from which the Writ issued, there to remain of record as a judgment of the said Court ; and the Court as occasion requires shall enforce such judgment by peremptory *Mandamus*, and by Writs of Execution for the costs awarded ;

18. No *Mandamus* or Writ of Execution shall issue upon 35
 such judgment until the judgment has been in possession of the Court for four days in Term including the day on which the same was delivered in, nor during the pendency of any rule for the reversal or alteration of the judgment ;

The Judgment may be moved against in full

19. In case the person against whom the judgment was 40
 given, or in case any Voter or Candidate at the Election moves against the judgment within such four days, the Court

may examine the judgment, and affirm modify or reverse the same ;

Court, and may be reviewed.

20. The Judges of the Superior Courts of Common Law, or a majority of them may by rules made in Term time settle the forms of the Writs of Summons, *Certiorari*, *Mandamus* and execution, and may regulate the practice respecting the suing out, service, and execution of such Writs, and the punishment for disobeying the same or any other writ or order of the Court or Judge, and respecting the practice generally, as well at Chambers as in Banc, in hearing and determining the validity of such Elections or appointments, and respecting the costs thereon ; and may from time to time rescind, alter or add to such rules : But all existing Rules shall remain in force until rescinded or altered as aforesaid.

The Judges to make rules, &c.

15 **125.** The appointment of members of Municipal Councils when required to be made under this Act shall be deemed elections within the preceding section, and in such cases the relator may be any Member of the Council or any Elector of the Municipality or Ward (*as the case may be*) for which such appointment was made.

Appointments equivalent to Elections.

MEETINGS OF COUNCIL, &c.

I.—FIRST MEETING OF MEMBERS ELECT.

126. The Members of every Municipal Council, (except County Councils,) and the Trustees of every Police Village, shall hold their first meeting at noon on the third Monday of the same January in which they are elected ; and the Members of every County Council shall hold their first meeting at noon on the fourth Monday of the same month, or on some day thereafter.

First meetings of Councils.

127. The members of every County Council shall hold their first meeting at the County Hall, if there is one, or otherwise at the County Court House.

Place in Counties.

2.—ELECTION OF HEADS OF COUNCIL OTHER THAN OF CITIES AND TOWNS.

128. The members elect of every Council, except City and Town Councils, being at least a majority of the whole number of the Council when full, shall, at their first meeting after the yearly elections, and after taking the oaths of office and qualification when required to be taken, organize themselves as a Council by electing one of themselves to be the Warden or Reeve of the Corporation, (*as the case may be*), and such person shall be the Head of the Council.

Elections of heads of other councils than Cities and Towns.

129. At every such election the Clerk of the Council shall preside, and if there is no Clerk, the members present shall select

Who to preside at.

one of themselves to preside, and the person selected shall vote with the other members..

Who to have the casting vote in the event of an equality of Votes.

130. In case of an equality of votes on the election of the Head of any County Council or Provisional County Council, then, of those present, the Reeve of the Municipality which has the largest number of names on its last revised assessment roll shall have a second and casting vote, and in case of the like occurrence in any other Council then, of those present, the member who has been assessed for the highest amount on such roll shall have the like vote.

Election of Reeves and Deputy Reeves.

131. The members of every Town and Incorporated Village Council shall at its first meeting elect from among its members a Town Reeve, and in case any Town, Incorporated Village or Township had the names of five hundred Electors on the last revised Assessment-Roll, the members of the Council of every such Town, Village and Township, shall also at its first meeting elect from among its members a Deputy Town Reeve.

3.—SUBSEQUENT MEETINGS.

Place of meeting of Council in Municipalities.

132. The subsequent meetings of the County Council, and all the meetings of every other Council shall be held at such place in the Municipality as the Council from time to time by Resolution on adjourning to be entered on the minutes, or by By-law appoints.

Place of in Cities.

133. The Council of the County in which any City lies, may hold its sittings, keep its public offices, and transact all the business of such Council and of its officers and servants within such City, and may purchase and hold such Real property therein as may be convenient for such purposes.

Meetings to be open.

134. Every Council shall hold its ordinary meetings openly, and no person shall be excluded except for improper conduct.

Special may be close.

135. In case there is no By-law of Council fixing the place of meeting, any Special Meetings of Council shall be held at the place where the then last Meeting of such Council was held, and such special Meeting may be open or closed as in the opinion of the Council expressed by Resolution in writing the public interest requires.

Quorum.

136. A majority of the whole number of members required by law to constitute the Council shall form a quorum.

In Councils of 5, 3 must concur.

137. When a Council consists of only five Members, the concurrent votes of at least three shall be necessary to carry any resolution or other measure.

138. Every Council may adjourn its Meetings from time to time. Adjournments.

4.—WHO TO PRESIDE IN COUNCIL.

139. The Head of every Council shall preside at the meetings of Council, and may at any time summon a special meeting thereof. The Heads to preside in Council.

140. In case of the death or absence of the Head of a Town Council, the Reeve, and in case of the absence or death of both of them, the Deputy Reeve, and in case of the death or absence of the Head of a Village or Township Council, the Deputy Reeve, shall preside at the meetings of Council, and may at any time summon a special meeting thereof. When Reeve or Deputy Reeve to preside.

141. In the absence of the Head of the Council, and in the case of a Town in the absence, also of the Reeve and Deputy Reeve, (and in the case of a Village or Township in the absence also of the Deputy Reeve, if there be one,) by leave of such Council or from, illness, the Council may, from among the members thereof eligible to be elected Head, appoint a presiding officer who during such absence shall have all the powers of the Head of the Council. Absence of Head provided for.

142. If the person who ought to preside at any Meeting, does not attend within a reasonable time after the hour appointed, the members present may appoint a Chairman from amongst themselves, and such Chairman shall have the same authority in presiding at the meeting as such absent person would have had if present. Casual absence provided for.

143. The Head of the Council, or the Presiding Officer or Chairman of any meeting of any Council may vote with the other Members on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.

5.—RESIGNATIONS OF HEADS OF COUNCIL.

144. The Head of a Council or the Town Reeve of a Town or the Deputy Town Reeve of a Town, Village or Township may, at any time resign his office, and in such case, or in the case of a vacancy in any such office by death or otherwise, the Council, or its remaining members, (*as the case may be*) shall, at a special meeting for the purpose or at the first regular meeting after the vacancy occurs elect from among themselves a qualified person to fill such office. Resignation of Heads provided for.

Vacancies how filled.

6.—OF COUNCILLORS.

145. Any Member of a Council may, with the consent of the majority of the members thereof to be entered on the minutes Members may resign.

of the Council, resign his seat in the Council, and the vacancy shall be supplied as in the case of a natural death.

OFFICERS OF CORPORATIONS.

1.—THE CLERK AND DUTIES OF.

The Clerk
and his
duties.

146. Every Council shall appoint a Clerk; and the Clerk shall truly record in a book without note or comment, all resolutions, decisions and other proceedings of the Council, and, if required by any member present, shall record the name and vote of every member voting on any matter submitted, and shall keep the books, records and accounts of the Council; and shall preserve and file all accounts acted upon by the Council, and also the originals or certified copies of all By-laws, and of all minutes of the proceedings of the Council, all which he shall so keep in his office, or in the place appointed by By-law of the Council. 5 10

Minutes, &c.,
to be open to
inspection.

147. Any person may inspect any of the particulars aforesaid at all seasonable times; and the Clerk shall within a reasonable time furnish copies thereof to any applicant at the rate of six pence per hundred words, or at such lower rate as the Council appoints, and shall, on payment of his fee therefor, furnish within a reasonable time to any elector of the Municipality, or to any other person interested in any By-law, Order or Resolution, or to his Attorney, a copy of such By-law, Order or Resolution, certified under his hand and under the Corporate Seal. 15

Copies to be
furnished and
charges
therefor, &c.

To transmit a
yearly return
of rate-payers
to the Receiver
General.

148. The Clerk of every City, Town, Incorporated Village and Township, shall on or before the first day of December in each year, transmit to the Receiver General a true Return of the number of resident rate-payers appearing on the revised assessment-roll of his Municipality for the year, and shall accompany such return with an affidavit made before a Justice of the Peace verifying the same, in the following form: 25 30

“ I, A. B., Clerk of the Municipality of the City, (Town, Township or Village, *as the case may be,*) make oath and say that the above or the within written, or the annexed (*as the case may be,*) return contains a true statement of the number of resident rate-payers appearing on the Assessment-roll of the said City, (Town, Township or Village, *as the case may be,*) for the year one thousand eight hundred and fifty- 35

(Signed) A. B.”

“ Sworn before me, &c.

149. And in case of default in any year, so to transmit, the Clerk shall be liable to a penalty of five pounds to be paid to the Receiver General for the use of the Province to be recovered 40

oy summary proceedings in the manner provided for the recovery of penalties for infringing By-laws under this Act.

150. The Clerk of every Township, Village and Town shall in each year within one week after the first day of January, make a return to the Clerk of the County in which the Municipality is situate of the following particulars respecting his Municipality for the year then last past, namely :

To make a yearly return to the County Clerk.

Heads of columns in Assessment Rolls, to be varied according to the form of the Assessment rolls required by Law.

1. Number of persons assessed.
2. Number of acres assessed.
3. Total of rentals of real property.
4. Total of yearly value other than rentals of real property.
5. Total actual value of real property.
6. Total of taxable incomes.
7. Total value of personal property.
8. Total yearly value of personal property.
9. Total amount of assessed value of real and personal property.
10. Total amount of taxes imposed by By-laws of the Municipality.
11. Total amount of taxes imposed by By-laws of the County Council.
12. Total amount of taxes imposed by By-laws of any Provisional County Council.
13. Total amount of Lunatic Asylum or other Provincial tax.
14. Total amount of all taxes as aforesaid.
15. Total amount of income collected or to be collected from assessed taxes for the use of the Municipality
16. Total amount of income from licenses.
17. Total amount of income from public works.
18. Total amount of income from shares in incorporated Companies.
19. Total amount of income from all other sources.
20. Total amount of income from all sources.
21. Total expenditure on account of roads and bridges.
22. Total expenditure on account of other public works and property.
23. Total expenditure on account of stock held in any incorporated Company.
24. Total expenditure on account of schools and education, exclusive of School Trustees rates.
25. Total expenditure on account of the support of the poor or charitable purposes.
26. Total expenditure on account of Debentures and interest thereon.
27. Total gross expenditure on account of Administration of Justice in all its branches.
28. Amount received from Government on account of Administration of Justice.
29. Total nett expenditure on account of administration of Justice.

30. Total expenditure on account of salaries, and the expenses of Municipal Government.
31. Total expenditure on all other accounts.
32. Total expenditure of all kinds.
33. Total amount of liabilities secured by Debentures.
34. Total amount of liabilities unsecured.
35. Total liabilities of all kinds.
36. Total value of real property belonging to Municipality.
37. Total value of stock in incorporated Companies owned by Municipality.
38. Total amount of debts due to Municipality.
39. Total amount of arrears of taxes.
40. Balance in hands of Treasurer.
41. All other property owned by Municipality.
42. Total assets.

County Clerk to make a return to the Provincial Secretary.

151. The Clerk of every County shall, before the first day of February, in each year prepare and transmit to the Provincial Secretary a Statement of the aforesaid particulars respecting all the Municipalities within his County, entering each Municipality in a separate line, and the particulars required opposite to it, each in a separate column, together with the sum total of all the columns for the whole County, and shall also make at the same time a Return of the same particulars respecting his County, as a separate Municipality.

152. The Clerk of every City, shall, before the first day of 10 February in each year make a return to the Provincial Secretary of the same particulars respecting his City.

Moneys to be retained if returns not made.

153. The Treasurer of the County shall retain in his hands any moneys payable to any Municipality, if it is certified to him by the Clerk of the County that the Clerk of such Municipality has not made the Returns hereinbefore required; and the Receiver-General shall retain in his hands any moneys payable to any Municipality if it is certified to him by the Provincial-Secretary that the Clerk of such Municipality has not made the Returns hereinbefore required; and any person so 20 required to make any Return by a particular day who fails so to do, shall be liable to a penalty of not more than Five Pounds, to be paid to the Receiver-General for the use of the Province, to be recovered as last aforesaid.

Provincial Secretary to lay the returns before Parliament.

154. The Provincial-Secretary shall within ten days after the 25 commencement of every Session, lay before both Houses of the Legislature a copy of all Returns hereinbefore required to be made.

2.—CHAMBERLAIN AND TREASURER.

Treasurer to be appointed.

155. Every City Council shall appoint a Chamberlain, and every other Council shall appoint a Treasurer; and each 30

Chamberlain and Treasurer before entering upon the duties of his office shall give such security as the Council directs for the faithful performance of his duties, and especially for duly accounting for and paying over all monies which may come into his hands.

To give security.

156. Every Treasurer and Chamberlain respectively shall receive and safely keep all moneys belonging to the Corporation, and shall pay out the same to such persons and in such manner as the Laws of the Province and the lawful By-laws of the Council direct.

To receive and take care of and disburse moneys, &c.

157. The Treasurer or Chamberlain of every Municipality for which any sum of money has been raised on the credit of the Consolidated Municipal Loan Fund, shall, so long as any part of such sum, or of the interest thereon, remains unpaid by such Municipality, transmit to the Board of Audit, on or before the Fifteenth day of January in every year, a Return, certified on the oath of such Treasurer or Chamberlain before some Justice of the Peace, containing the amount of taxable property in such Municipality according to the then last Assessment Roll or Rolls,—a true Account of all the Debts and Liabilities of such Municipality for every purpose, for the then last year,—and such further information and particulars with regard to the liabilities and resources of such Municipality, as the Governor in Council may from time to time require, under a penalty in case of neglect or refusal to transmit such Return, account, information or particulars, of twenty-five pounds to be recovered with costs as a debt due to the Crown, according to the fifteenth Section of the Statute, eighteenth Victoria chaptered seventy-eight, to secure the more efficient Auditing of the Public accounts.

To make a return yearly to the Provincial Board of Audit.

3.—ASSESSORS AND COLLECTORS.

158. The Council of every Municipality except Counties shall, as soon as may be convenient after the annual election, appoint as many Assessors and Collectors for the Municipality as the Assessment Laws from time to time authorize or require, and shall fill up any vacancy that occurs in the said offices as soon as may be convenient after the same occurs; but the Council shall not appoint as Assessor or Collector a member of the Council, or a person who has not the same property qualification as that required for a Councillor or Councilman of the Municipality. The same person may in a City or Town be appointed Assessor or Collector for more than one Ward.

Assessors and Collectors qualification of.

159. The Assessors shall state in their Assessment Rolls whether the persons named therein are Freeholders or Householders or both, and shall in separate columns for this purpose use the initial letters F and H to signify the same respectively.

Assessors to designate freeholders and householders in their assessment rolls.

Householder defined.

160. Every occupant of a separate portion of a house, such portion having a distinct communication with a Public road or street by an outer door, shall be deemed a Householder within this Act.

Collector of Provisional County.

161. The Collector for a Union of Counties shall *ex officio* be the Collector for the Provisional County; and such Collector shall pay over to the Provisional Treasurer the money he collects under any By-law of the Provisional Council, deducting for his own use two and a half per cent on the amount paid over, in consideration of his trouble and responsibility in collecting.

Moneys how to be disposed of.

162. The money so collected shall be deemed the money of the Union, so far as necessary to make the Collectors and their sureties responsible to the Union therefor. And in case the Corporation of the Union receives the same, such Corporation shall immediately pay the same to the Provisional Treasurer, retaining the expenses of collection.

4.—AUDITORS.

Auditors.

163. Every Council shall, at the first meeting thereof in each year after being duly organized, appoint two Auditors, one of whom shall be such person as the Head of the Council nominates; but no one who, at such time or during the preceding year, is or was a Member, or is or was Clerk or Treasurer of the Council, or who has or during such preceding year had, directly or in directly, alone or in conjunction with any other person, a share or interest in any contract or employment with or on behalf of the Corporation, shall be appointed an Auditor.

Disqualification for office of.

Duties of.

164. The Auditors shall examine and report upon all accounts affecting the Corporation, or relating to any matter under its control or within its jurisdiction, for the year ending on the thirty-first day of December preceding their appointment.

To prepare abstract and detailed statement of receipts and expenditures, &c.

165. The Auditors shall prepare an abstract of the receipts, expenditures, and liabilities of the Corporation; and also a detailed statement of the said particulars in such form as the Council directs, and report in duplicate on all the accounts audited by them; and shall file the same in the office of the Clerk of the Council within one month after their appointment, and thereafter any inhabitant of the Municipality may inspect one of such duplicate reports, at all reasonable hours; and may by himself or his agent, at his own expense take a copy thereof or extracts therefrom.

The Council to finally audit, &c.

166. The Council shall, upon the report of the Auditors, finally audit and allow the accounts of the Treasurer or Chamberlain and Collectors and all accounts chargeable

against the Corporation ; and in case of charges not regulated by law the Council shall allow what is reasonable.

167. The Clerk shall publish the Auditors' abstract in some newspaper published in the Municipality, or if there be no such paper then in a newspaper published in the place nearest thereto, and shall also publish the detailed statement in such form as the Council directs. How Clerk to publish abstracts and detailed statements.

168. Every County Council shall have the regulation and auditing of all moneys to be paid out of funds in the hands of the County Treasurer.

5.—SALARIES AND CONTINUANCE IN OFFICE.

169. In case the remuneration of any of the officers of the Municipality has not been settled by Act of the Legislature, the Council shall settle the same, and the Council shall provide for the payment of all municipal officers, whether the remuneration is settled by Statute or by By-law of the Council. Salaries of officers.

170. The Chamberlain or Treasurer may be paid a salary or per centage, and all officers appointed by a Council shall hold office until removed by the Council, and shall, in addition to the duties assigned to them in this Act, perform all other duties required of them by any other Statute, or by the By-laws of the Council having jurisdiction over such officers. Of Chamberlain or Treasurer.

6.—OFFICIAL OATHS.

171. Every person elected or appointed under this Act to any office requiring a qualification of property in the incumbent shall, before he takes the oath of office, or enters on his duties, take and subscribe an oath or affirmation to the effect following : Oath of Qualification.

“ I, A. B., do swear, (or affirm, where the party is entitled to affirm,) that I am a natural-born (or naturalized) subject of Her Majesty ; that I am truly and *bonâ fide* seized or possessed to my own use and benefit, of such an estate, (*specifying the nature of such estate, and if land, designating the same by its local description, rents or otherwise,*) as doth qualify me to act in the office of (*naming the office*) for (*naming the place for which such person has been elected or appointed*) according to the true intent and meaning of a certain Act of the Parliament of this Province passed in the _____ year of Her Majesty's Reign, intituled, (*insert title of this Act*). So help me God.” Form of

172. Every Returning Officer and Returning Officer's Clerk, every Township, Village, Town and City Councillor, every Alderman, every Justice of the Peace for a Town, and every Clerk, Assessor, Collector, Constable and other officer Oath of office.

appointed by a Council, shall, before entering on the duties of his office, take and subscribe an oath or affirmation to the effect following :

Form of
Oath of office.

“ I, A. B., do solemnly swear, (or affirm *where the party is entitled to affirm,*) that I will truly, faithfully and im- 5
“ partially to the best of my knowledge and ability, ex-
“ ecute the office of (*inserting the name of the office*) to which I
“ have been elected (or appointed) in this Township, (or *as the*
“ *case may be,*) and that I have not received and will not receive
“ any payment or reward, or promise of such, for the exercise 10
“ of any partiality or malversation or other undue execution of
“ the said office. So help me God.”

Denial of dis-
qualifying in-
terest, who to
take.

173. The oath or affirmation to be taken by every Mayor and
Alderman, and by every Township, Village, Town and City 15
Councillor, shall also state that he has not by himself or his
partner an interest in any contract with or on behalf of the
Corporation.

Auditor's
oath.

174. The oath or affirmation to be taken by every Auditor
shall be as follows :

Form of oath.

“ I, A. B., having been appointed to the office of Auditor for 20
“ the Municipal Corporation of _____, do hereby promise and
“ swear that I will faithfully perform the duties of such office
“ according to the best of my judgment and ability : and I do
“ swear and declare, that I had not directly or indirectly any
“ share or interest whatever in any contract or employment 25
“ with, by or on behalf of such Municipal Corporation during
“ the year preceding my appointment, and that I have not any
“ contract or employment for the present year. So help me
“ God.”

Heads and
other mem-
bers of the
Council before
whom to be
sworn.

175. The Head of every Council shall on the certificate 30
of his election as such under the hand of the Clerk, or in case
of his absence under the hand of the Chamberlain or Treasurer
of the Corporation, be sworn or affirmed into office and as to his
qualification ;

1. By the highest Court of Law or Equity which is at 35
the time sitting within the Municipality ;

2. Or if no Court is sitting then by the Chief or one of the
other Justices of either of the Superior Courts of Common Law
or by the Chancellor or either of the Vice-Chancellors of the 40
Court of Chancery at his Chambers ;

3. Or if at the time there is no such Court, or Judge within
the limits of the Municipality, or at the place of meeting of the
Council, then before the Mayor of the City or Town, (in case he
is not the person to be sworn in) or before the Recorder or Police

Magistrate of the City or Town, or before a Justice of the Peace of the County or Town in or over which such Council has jurisdiction ;

4. Or, in the case of Townships and Villages, by a Justice of the Peace for the County in which the Township or Village is situate ;

5. Or, in case there is no such Court, Judge or Justice of the Peace within such Municipality or place of meeting at the time, then before the Clerk of the Council in the presence of the members of the Council.

176. The other members of the Council and the subordinate officers of every Municipality may be sworn or affirmed into office, and as to their qualification when necessary, by the Head of the Council, or any Recorder, Police Magistrate or other Justice of the Peace having jurisdiction in the Municipality for which such members or officers have been elected or appointed.

Who may administer oaths to Councillors, &c.

177. The Court, Judge or other person administering such oaths or affirmations respectively, shall give the necessary Certificate of the same having been duly taken and subscribed.

Certificate of

178. The Head of any Council, any Alderman, Reeve or Deputy Reeve, any Justice of the Peace of a Town, and the Clerk of a Municipality, may within the Municipality administer any oath or affirmation under this Act, relating to the business of the place in which he holds office, except where otherwise especially provided, and except where he is the party required to take the oath or affirmation.

Head of Council and Reeves may administer oaths.

179. The deponent or affirmant shall subscribe every such oath or affirmation, and the person administering it shall duly certify and preserve the same, and within eight days deposit the same in the office of the Clerk of the Municipality to the affairs of which it relates, on pain of being deemed guilty of a misdemeanor.

Oath to be subscribed.

180. The oaths of office to be taken by the subordinate officers of a Town or City, may be taken either before any of the persons hereinbefore authorized to administer an oath or before the Police Magistrate.

Oath of office, before whom sworn.

181. Every qualified person duly elected or appointed to be a Mayor, Alderman, Councilman, Town Reeve, or Deputy Town Reeve, Councillor, Police Trustee, Assessor or Collector of or in any Municipality, who refuses such office, or does not take the oath or affirmation of office and of qualification within twenty days after knowing of his election or appointment, and every person authorized to administer any such

Penalty for refusing to accept office or take the oaths.

oath or affirmation, who upon reasonable demand, refuses to administer the same shall, on conviction thereof before two or more Justices of the Peace under and subject to the summary convictions Act, of 16. Vic. Cap. 178 forfeit not more than twenty pounds, nor less than two pounds, at the discretion of such Justices to the use of the Municipality, together with the costs of prosecution. 5

7.—EMBEZZLEMENT OF BOOKS, MONIES.

Embezzlements by Municipal Officers.

182. All books, papers, accounts, documents, monies and valuable securities respectively, kept or received by any person or officer appointed or employed by or on behalf of any Council, by virtue of his office or employment, shall be the property of the Corporation; and in case any such person or officer refuses or fails to deliver up or pay over the same respectively to the Corporation, or to any person authorized by such Council to demand them, he shall be deemed guilty of a fraudulent embezzlement thereof, and may be prosecuted and punished in the same manner as a servant fraudulently embezzling any chattel, money or valuable security of his master; but nothing herein shall affect any remedy of the Corporation or of any other person against the offender or his sureties, or any other party; nor shall the conviction of such offender be receivable in evidence in any suit, at law or in equity, against him. 10 15 20

1.—PROVISIONS APPLICABLE TO ALL COUNCILS.

183. The following sections and sub-sections numbered from 184 to 237 both inclusive, relate to all Municipalities and Municipal Councils, namely,

- | | | | |
|------------------------------|--|---------------------------|----|
| 1. Townships, | \| | 4. Cities, | 25 |
| 2. Counties, | | 5. Towns, and | |
| 3. Provisional Corporations, | | 6. Incorporated Villages. | |

1.—JURISDICTION OF COUNCILS.

Local Jurisdiction of Councils.

184. The Jurisdiction of every Council shall be confined to the Municipality such Council represents, except where authority beyond the same is expressly given, and the powers of the Council shall be exercised by By-law when not otherwise authorized or provided for. 30

General power to make local regulations. To regulate meetings and proceedings. May repeal or alter By-laws.

185. Every Council may make Regulations not specifically provided for by this Act, and not contrary to Law, for governing the proceedings of the Council,—the conduct of its Members,—and the appointing or calling of special meetings of the Council; and generally such other regulations as the good of the Inhabitants of the Municipality requires; and may repeal, alter and amend its By-laws, save as by this Act restricted. 35 40

2. BY-LAWS OF COUNCILS.

1. HOW AUTHENTICATED.

186. Every By-law shall be under the Seal of the Corporation, and shall be signed by the Head of the Corporation, or by the person presiding at the Meeting at which the By-law has been passed, and by the Clerk of the Corporation. How By-laws to be authenticated.

187. A copy of any By-law written without erasure or interlineation, and under the Seal of the Corporation, and certified to be a true copy by the Clerk and by any Member of the Council, shall be deemed authentic, and be received in evidence in any Court of Justice without proof of such Seal or Signatures, unless it is specially pleaded or alleged that the Seal or one or both of the Signatures have been forged. Certified copies to be evidence.

2. OPPOSITION TO WHEN APPLIED FOR BY RATE PAYERS.

188. In case any person rated on the Assessment Roll of any Municipality, or of any locality therein, objects to the passing of a By-law the passing of which is to be preceded by the application of a certain number of the rateable inhabitants of such Municipality or place, he shall, on petitioning the Council, be at liberty to attend, in person or by Counsel or Attorney, before the Council at the time at which the By-law is intended to be considered, or before a Committee of the Council appointed to hear evidence thereon, and may produce evidence that the necessary notice of the application for the By-law was not given, or that any of the signatures to the application are not genuine, or were obtained upon incorrect statements and that the proposed By-law is contrary to the wishes of the persons whose signatures were so obtained, and that the remaining signatures do not amount to the number nor represent the amount of property necessary to the passing of the By-law. Opposition to By-laws applied for by ratepayers: provision for.

189. If the Council is satisfied upon the evidence that the application for the By-law did not contain the names of a sufficient number of persons whose names were obtained without fraud and in good faith, and who represent the requisite amount of property, and are desirous of having such By-law passed, or if the Council is satisfied that the notice required by law was not duly given, the Council shall not pass the By-law. When By-laws shall pass.

3. PROCEEDINGS WHEN THE ASSENT OF ELECTORS IS REQUIRED.

190. In case a By-law requires the assent of the Electors of a Municipality before the final passing thereof, the following proceedings shall be taken for ascertaining such assent, except in cases otherwise provided for: If a By-law requires the assent of the electors.

1. The Council shall by By-law fix a day, hour and place, for a general meeting of the Electors, for the purpose of con- Time and place of meeting.

ing shall be fixed by By-law.

sidering and approving or disapproving of the By-law; and such day shall not be less than three, nor more than four weeks after the first publication of the proposed By-law as herein provided for;

Proposed By-law to be published.

2. The Council shall for at least one month before the final passing of the proposed By-law, publish a copy thereof in some newspaper published weekly or oftener in the Municipality, or if there is no such newspaper, in some newspaper in the nearest place in which a newspaper is published, and also put up a copy of the By-law at four or more of the most public places in the Municipality;

Notice to be given.

3. Appended to each Copy so published and posted, shall be a notice signed by the Clerk of the Council, stating that such copy is a true copy of a proposed By-law which will be taken into consideration by the Council after one month from the first publication in such newspaper, stating the date of such first publication, and naming the hour, day and place, fixed for the general meeting of Electors for the purpose aforesaid;

Who to preside and who to be Secretary at meeting.

4. At such meeting the Head of the Corporation, or in his absence any Elector chosen by the Electors present, shall preside as Chairman, and the Clerk shall attend the meeting with the last revised assessment Rolls or certified Copies, and shall act as Secretary;

Question to be put and show of hands declared.

5. The Chairman shall put to the Electors present the question "shall this By-law be approved," and shall thereupon declare whether, in his opinion, the majority is for approving or for disapproving thereof; and his decision if not forthwith appealed from, shall be final;

If Poll demanded chairman to take same.

6. In case six Electors present appeal from the decision and demand a Poll, the Chairman shall immediately take such Poll, and act as Returning Officer in taking the same, and the Clerk shall act as Poll Clerk; and such Poll and all proceedings thereat shall be conducted in the same manner, as nearly as may be, as at a Municipal Election; but the Chairman shall keep open the Poll till five of the clock in the afternoon, and may then adjourn the same till ten of the clock in the forenoon of the first day thereafter which is not a Sunday or Statutory holiday, and shall continue the Poll till five of the clock in the afternoon of the second day, and no longer; or if in the meantime he sees that all the Electors intending to vote have had a fair opportunity of being polled, and if half an hour at one time has elapsed without any Elector during that time giving or tendering his vote, free access having been allowed to Electors for the purpose, the Chairman may close the Poll at any time on either day;

Poll Clerk, who.

How long Poll to be open.

When to be closed.

Presiding officer to cer-

7. The Chairman shall at the close of the meeting or of the Poll, as the case may be, certify to the Council whether the

majority approved or disapproved of the By-law : and the Clerk shall countersign the certificate, and keep the same with the Poll Book (if there was a Poll) among the Records of his office. tify the result, &c.

4.—WHEN REQUIRING THE ASSENT OF THE GOVERNOR IN COUNCIL.

191. The facts required by this Act to be recited in any By-law which requires the approval of the Governor in Council, shall, before receiving such approval, be verified, on oath or affirmation, by the Head of the Council, and by the Chamberlain or Treasurer and Clerk thereof, and by such other persons and on such other evidence as to the Governor in Council satisfactorily proves the facts so recited ; or in case of the death or absence of any such Municipal officer, upon the oath or affirmation of any other Member of the Council, whose oath or affirmation the Governor in Council will accept. When the assent of the Governor is required to By-laws.

5.—WHEN AND HOW QUASHED.

192. In case a resident of a Municipality, or any other person interested in a By-law, Order or Resolution of the Council thereof, applies to either of the Superior Courts of Common Law, and produces to the Court a copy of such By-law, Order or Resolution, certified under the hand of the Clerk and under the Corporate Seal, and shews, by affidavit, that the same was received from the Clerk, and that the applicant is resident or interested as aforesaid, the Court, after at least eight days' service on the Corporation of a Rule to shew cause in this behalf, may quash such By-law, Order or Resolution in whole or in part for illegality, and according to the result of the application, award costs for or against the Corporation. By-laws, how to proceed in order to quash.

6.—WHEN CONFIRMED BY PROMULGATION.

193. In case a By-law by which a rate is imposed has been or shall be specially promulgated in the manner herein-after specified, no application to quash such By-law shall be entertained after six calendar months have elapsed since such promulgation. When By-law imposing rates cannot be impeached or quashed if proper proceedings be taken to confirm such By-law.

194. Every special promulgation of a By-law within the meaning of this Act shall consist in the publication through the Public Press of a true copy of such By-law, and of the signature attesting its authenticity, with a notice appended thereto of the time limited by Law for applications to the Courts to quash the same or any part thereof.

195. In the case of By-laws by which any Rate is imposed for any purpose whatsoever, then the promulgation shall be either by such publication of a copy of the By-law with such notice as aforesaid, or in lieu thereof by such publication of a notice

setting forth the amount of such rate and giving the substance only of the other parts of the By-law with a similar notice of the time so limited for such applications to quash as aforesaid, which publication shall for the purpose aforesaid be in each public newspaper published weekly or oftener within the territorial jurisdiction of such Municipal Corporation; or if there be no such public newspaper within such jurisdiction, then in at least two public newspapers published weekly or oftener nearest to such jurisdiction, every which publication shall for the purpose aforesaid be continued in at least three consecutive numbers of such paper.

196. The notice to be appended to every such copy for the purpose aforesaid shall be to the effect following:

“NOTICE.—The above is a true copy of a By-law passed by the Municipality of the Township of A, in the County of B, one of the United Counties of B, C and D, (or as the case may be) on the day of , 185 , and (where the approval of the Governor in Council is by law required to give effect to such By-law) approved by His Excellency the Governor General in Council, on the day of , 185 , and all persons are hereby required to take notice, that any one desirous of applying to have such By-law or any part thereof quashed, must make his application for that purpose to one of Her Majesty’s Superior Courts of Common Law at Toronto, within six Calendar Months at the farthest after the special promulgation thereof by the publication of this notice in three consecutive numbers of the following newspapers, viz: (here name the newspapers in which the publication is to be made) or he will be too late to be heard in that behalf.

G. H. 30
Township Clerk.”

197. The notice setting forth the amount of such rate, and giving the substance only of the other parts of such By-law, for the purpose aforesaid, shall be to the effect following, that is to say:

“Township A, in the County of B, one of the United Counties of B, C and D, in Upper Canada, to wit:

Notice is hereby given, that a By-law intituled (*set out the title,*) and numbered (*give the number by which the By-law is designated,*) was on the day of 185 , 40 passed by the Municipal Corporation of the Township of A, in the County of B, one of the United Counties of B, C and D, in Upper Canada, for the purpose of [*here set out in substance the object of the By-law, as* “for the purpose of raising the necessary funds to meet the general public expenses of the Township of for the year 185 ,” or “for the purpose of raising and contracting for a loan of Pounds, for making: and

macadamizing a Road from to " or otherwise,
 as the case may be) and, (where the approval of the Governor in
 Council is by law required to give effect to such By-law,) approved by His Excellency the Governor General in Council,
 5 on the day of 185 ;] and all persons
 are hereby required to take notice, that any one desirous of
 applying to have such By-law or any part thereof quashed, must
 make his application for that purpose to one of Her Majesty's
 Superior Courts of Common Law at Toronto, within six Calen-
 10 dar Months, at the farthest, after the special promulgation
 thereof, by the publication of this notice in three consecutive
 numbers of the following newspapers, viz: (*here name the
 newspapers in which the publication is to be made*), or he will be
 too late to be heard in that behalf.

G. H.
 Township Clerk."

15 **198.** In case no application to quash any such By-law so specially promulgated is made within the time so limited for that purpose, such By-law, or so much thereof as is not the subject of any such application, or not quashed upon such application, so far as the same ordains, prescribes
 20 or directs any thing within the proper competence of such Municipal Council to ordain, prescribe or direct, shall, notwithstanding any want of substance or form, either in the By-law itself, or in the time or manner of passing the same, be a valid By-law.

If not moved against, within the time limited, to be valid.

7.—IF QUASHED THE CORPORATION ONLY TO BE LIABLE.

25 **199.** In case a By-law, Order or Resolution is illegal in whole or in part, and in case any thing is done under it which, by reason of such illegality, gives any person a right of action; no such action shall be brought until one calendar month has elapsed after the By-law, Order or Resolution has been quashed or re-
 30 pealed, nor until one calendar month's notice in writing of the intention to bring such action has been given to the Corporation; and every such action shall be brought against the Corporation alone, and not against any person acting under the By-law, Order or Resolution.

Liability of Municipality for acts done under a By-law afterwards quashed.

8.—TENDER OF AMENDS BY.

35 **200.** In case the Corporation tenders amends to the Plaintiff or his Attorney, if such tender be pleaded and (if traversed) proved, and if no more than the amount tendered is recovered, the plaintiff shall have no costs, but costs shall be taxed to the defendant, and set off against the verdict, and the
 40 balance due to either party shall be recovered as in ordinary cases.

Tender of amends.

6.—OFFENCES AGAINST BY-LAWS.

Offences
against By-
laws.

201. In case any Officer of a Municipal Corporation neglects or refuses to carry into effect a By-law for paying a debt, and so neglects or refuses under colour of a By-law illegally attempting to repeal such first mentioned By-law, or to alter the same so as to diminish the amount to be levied under it, such Officer shall be guilty of a misdemeanor, and be punished by fine or imprisonment, or both, at the discretion of the Court whose duty it may be to pass sentence upon him. 5

Jurisdiction
to try.

202. In case an offence is committed against a By-law of a Council, for the prosecution of which offence no other provision is made, any Justice of the Peace, having jurisdiction in the locality where the offender resides, or where the offence was committed, whether such Justice is a member of the Council or not, may try and determine any prosecution for such offence. 10 15

Summary
proceedings.

Evidence.

203. The Justice or other authority before whom a prosecution is had for an offence against a Municipal By-law, may convict the offender on the oath or affirmation of any competent witness other than the prosecutor or informer, and shall award the penalty or punishment imposed by the By-law with the costs of prosecution, and may for that purpose by warrant under the hand and seal of such Justice or other authority, or in case one or more Justices act together therein, then under the hand and seal of one of them, cause any pecuniary penalty and costs or costs only, *as the case may be*, if not forthwith paid, to be levied by distress and sale of the goods and chattels of the offender. 20 25

Penalty and
costs.

How levied.

Commitment
in default of
distress.

204. In case of there being no distress found, out of which such penalty can be levied, such Justice may commit the offender to the Common Gaol, House of Correction or nearest Lock-up House, for the term specified in the By-law. 30

Fines how ap-
plied.

205. When the pecuniary penalty is levied, one moiety thereof shall go to the informer or prosecutor, and the other moiety to the Corporation, unless the prosecution is brought in the name of the Corporation; and in that case the whole of the pecuniary penalty shall be paid to the Corporation. 35

Jurisdiction
of Mayors and
Police Magis-
trates over
penal offences.

206. The Police Magistrate, or when there is none, the Mayor of a Town or City, shall have jurisdiction in addition to his other powers, to try and determine all prosecutions for offences against the By-laws of the Town or City, and for penalties for refusing to accept or to be sworn into office therein. 40

3. DEBENTURES, &c.

1.—HOW TO BE MADE.

Debentures,
Bonds &c.

207. All Debentures and other specialties duly authorized to be executed on behalf of a Municipal Corporation shall be

sealed with the Seal of the Corporation and be signed by the Head thereof, or by some other person authorized by By-law to sign the same, otherwise the same shall not be valid. how to be executed.

2.—TRANSFERABLE BY DELIVERY, &c.

208. Any Debenture heretofore issued, or issued after this Act takes effect, under the formalities required by law, by any Municipal Corporation, payable to bearer or to any person named therein or bearer, may be transferred by delivery, and such transfer shall vest the property of such debenture in the holder, and enable him to maintain an action thereupon in his own name. Debentures transferable by delivery if payable to bearer.

209. Any Debenture issued as aforesaid, and made payable to any person, or to any person or order, shall, (after the endorsement thereof in blank, by such person or persons,) be transferable by delivery from the time of such endorsement, and such transfer shall vest the property thereof in the holder, and enable him to maintain an action thereupon in his own name. Or, if endorsed in blank, when payable to order.

210. In a suit or action upon any such Debenture, it shall not be necessary for the Plaintiff to set forth in the declaration or other pleading, or to prove, the mode by which he became the holder of such Debenture, or to set forth or to prove the notices, by-laws or other proceedings under and by virtue of which the Debenture was issued, but it shall be sufficient in such pleading to describe the Plaintiff as the holder of the Debenture, (alleging the indorsation in blank, if any,) and shortly to state its legal effect and purport, and to make proof accordingly. In pleading sufficient to describe Plaintiff as the holder.

211. Any such Debenture issued as aforesaid, shall be valid and recoverable to the full amount notwithstanding its negotiation by such Corporation at a rate less than par, or at a rate of interest greater than six per centum per annum, and shall not be impeachable on that ground in the hands of a *bond fide* holder for value, without notice. Full amount recoverable by holder without notice though negotiated at interest exceeding 6 per cent. or below par.

4. RESTRICTIONS UPON COUNCILS.

212. No Council shall act as bankers; or issue any Bond, Bill, Note, Debenture or other undertaking, of any kind or in any form, in the nature of a Bank Bill or Note, or intended to form a circulating medium, or to supply the place of specie, or to pass as money; nor shall any such Council make or give any Bond, Bill, Note, Debenture or other undertaking, for the payment of a less amount than twenty-five pounds; and any Bond, Bill, Note, Debenture or other undertaking issued in contravention of this Section, shall be void. Restrictions upon Councils in Banking issuing bills, bonds, &c.

To issue
Bank notes
&c., contrary,
to this Act
declared a
misdemeanor

213. In case any person issues or makes, or assists in issuing or making, or knowingly utters or tenders in payment, or exchange, any Bond, Bill, Note, Debenture or undertaking, of any kind or in any form, in the Nature of a Bank Bill or Note, intended to form a circulating medium, or to supply the place of specie, or to pass as money, contrary to this Act, such person shall be guilty of a misdemeanor. 5

Monopolies
prohibited.

214. No Council shall have power to give any person an exclusive right of exercising within the Municipality any trade or calling, or to impose a special tax on any person exercising the same, or to require a license to be taken for exercising the same unless authorized or required by statute so to do. But the Council may direct a fee, not exceeding five shillings, to be paid to the proper Officer for a certificate of compliance with any regulations in regard to such trade or calling. 10 15

215. But Nothing in this Act contained shall prevent a Council from granting exclusive privileges in any ferry which may be vested in the Corporation represented by such Council.

COSTS OF MANDAMUS.

Costs of Man-
damus.

216. Upon any application for a Writ of Mandamus for or against a Municipal Corporation, the Courts may, in their discretion, grant or refuse costs. 20

5.—EXECUTIONS AGAINST CORPORATIONS.

Writs of ex-
ecution
against Muni-
cipalities.

217. Any Writ of Execution against a Municipal Corporation, may be endorsed with a direction to the Sheriff to levy the amount thereof by rate, and the proceedings thereon shall then be the following: 25

Sheriff to deli-
ver statement
to Treasurer.

1. The Sheriff shall deliver a copy of the Writ and indorsement to the Chamberlain or Treasurer, or leave such copy at the office or dwelling house of that officer, with a statement in writing of the Sheriff's fees, and of the amount required to satisfy such-execution, including in such amount the interest calculated to some day as near as is convenient to the day of the service; 30

If not paid, a
rate to be
struck.

2. In case the amount with interest thereon from the day mentioned in the statement, be not paid to the Sheriff within one calendar month after the service, the Sheriff shall examine the Assessment Rolls of the Corporation, and shall, in like manner as rates are struck for general Municipal purposes, strike a rate sufficient in the pound to cover the amount due on the execution, with such addition to the same as the Sheriff deems sufficient to cover the interest, his own fees and the Collector's per centage, up to the time when such rate will probably be available; 35 40

3. The Sheriff shall thereupon, issue a precept or precepts, under his hand and seal of office, directed to the Collector or respective Collectors of the Corporation, and shall annex to every precept the roll of such rate, and shall by such precept after 5 reciting the Writ, and that the Corporation had neglected to satisfy the same, and referring to the roll annexed to the precept, command the Collector, or Collectors within their respective jurisdictions, to levy such rate at the time and in the manner by law required in respect of the general annual rates ;

10 4. In case at the time for levying the annual rates next after the receipt of such precept, the Collectors have a general rate roll delivered to them for such year, they shall add a column thereto, headed, " Execution rate in A. B., vs. The Township, (or as the case may be, adding a similar column for each execu- 15 tion if more than one,) and shall insert therein the amount by such precept required to be levied upon each person respectively, and shall levy the amount of such execution rate as aforesaid, and shall, within the time they are by law required to make the returns of the general annual rate return to the Sheriff the 20 precept with the amount levied thereon, after deducting their per centage ;

5. The Sheriff shall after satisfying the Execution and all fees thereon, pay any surplus, within ten days after receiving the same, to the Chamberlain or Treasurer, for the general pur- 25 poses of the Corporation ;

6. The Clerk, Assessors and Collectors of the Corporation shall, for all purposes connected with carrying into effect, or permitting or assisting the Sheriff to carry into effect, the provisions of this Act, with respect to such executions, be deemed 30 to be Officers of the Court out of which the Writ issued, and as such shall be amenable to the Court, and may be proceeded against by attachment or otherwise, to compel them to perform the duties hereby imposed upon them.

6.—DEBTS AND RATES.

1.—YEARLY RATES FOR DEBTS.

35 **218.** The Council of every Township and the Council of every County and of every provisional Corporation, and of every City, and of every Town, and of every Incorporated Village respectively shall assess and levy on the whole rateable property within its jurisdiction a sufficient sum in each year 40 to pay all valid debts of the Corporation, whether of principal or interest, falling due within the year.

2.—BY-LAWS TO CREATE DEBTS, &c.

219. Every such Council may under the formalities required by law, pass By-laws for contracting debts by borrowing 4 By-laws for creating debts.

money or otherwise, and for levying rates on the rateable property of the Municipality, for any purpose within the jurisdiction of the Council; But no such By-Law shall be valid which is not in accordance with the following restrictions and provisions:

- Terms of, when to take effect. 1. The By-law if not for creating a debt for the purchase of Public Works, shall name a day in the financial year in which the same is passed, when the By-law shall take effect;
- When to be redeemed. 2. If not contracted for gas works, or for the purchase of public works, according to the Statutes relating thereto, the whole of the debt and the obligations to be issued therefor shall be made payable in twenty years at furthest from the day on which such By-Law takes effect;
- To provide a yearly rate. 3. The By-law shall settle an equal special rate per annum, in addition to all other rates, to be levied in each year for paying the debt and interest—
- Sufficient in amount. 4. Such special rate shall be sufficient, according to the amount of rateable property appearing by the last revised assessment Rolls, to discharge the debt and interest when respectively payable;
- Irrespective of future increase of rateable property. 5. The amount of rateable property shall be ascertained irrespective of any future increase of the rateable property of the Municipality, and of any income in the nature of tolls, interest or dividends, from the work, or from any stock, shares or interest in the work, upon which the money to be so raised or any part thereof is intended to be invested, and also irrespective of any income from the temporary investment of the sinking fund or of any part thereof—
- Recitals in, amount and object of debt. The yearly rate for the debt. The value of the rateable property. The yearly rate for interest. 6. The By-law shall recite: (1.) The amount of the debt which such new By-law is intended to create, and, in some brief and general terms, the object for which it is to be created; (2.) The total amount required by this Act to be raised annually by special rate for paying the new debt and interest; (3.) The amount of the whole rateable property of the Municipality according to the last revised assessment Rolls; and, (4.) The annual special rate in the pound for paying the interest and creating an equal yearly sinking fund for paying the principal, of the new debt, according to this Act;
- To be assented to by the rate-payers. **220.** Except in Counties every By-law for raising upon the credit of the Municipality any money not required for its ordinary expenditure shall before the final passing thereof, receive the assent of the Electors of the Municipality in the manner provided for in the 190th section and sub-sections of this Act.

221. And in Counties no By-law of a County Council for creating any debt or contracting any loan shall be valid, unless the same is passed at a meeting of the Council especially called for the purpose of considering the same and held not less than three calendar months after a copy of such By-law at length as the same is ultimately passed together with a notice of the day appointed for considering the same, has been published in some newspaper issued weekly or oftener within the County, or if there be no such public newspaper, then in a public newspaper published nearest to County; which said notice may be to the effect following :

Course of proceeding by County Councils.

FORM OF NOTICE.

The above is a true copy of a proposed By-law to be taken into consideration by the Municipality of the County (or United Counties) of at , in the said County (or United Counties) on the day of , 18 , at the hour of o'clock in the noon, at which time and place the members of the Council are hereby required to attend for the purpose aforesaid.

G. H.

Clerk.

PURCHASE OF PUBLIC WORKS.

222. 1. The Council of any Municipal Corporation in Upper Canada may contract a Debt or Debts to Her Majesty, in the purchase of any of the Public Roads, Harbors, Bridges, Buildings or other Public Works in Upper Canada; and may enter into, make and execute such Bonds, Deeds, Covenants other Securities to Her Majesty, as the Council may deem fit, for the payment of the price of any such Public Work already sold or transferred, or which may be sold or transferred, or agreed to be sold or transferred to such Municipal Corporation, and for securing the performance and observance of all or any of the conditions of sale or transfer; and may also pass and enact all necessary By-laws for any of the purposes aforesaid. And all such By-laws, Debts, Bonds, Deeds, Covenants and other Securities shall be valid and effectual in law, and binding upon such Municipal Corporation, although no Special or other Rate per annum be settled or imposed to be levied in each year, as provided by the three last preceding sections of this Act.

Municipal Councils may purchase Public Works and contract debts without imposing a yearly rates as provided in the three last sections.

2. Any such Municipal Council may nevertheless in any By-law to be passed for the creation of any such Debts, or for the making or executing any such Bonds, Deeds, Covenants or other Securities as aforesaid, to Her Majesty, or in any other By-law to be passed by such Council, settle and impose a Special Rate per annum, of such amount as such Council may deem expedient, over and above and in addition to all

Rates may be imposed for the payment of debts contracted with the Crown for such Works.

other rates whatsoever, to be levied in each year upon the assessed rateable property within the limits of such Municipality, for the payment and discharge of such Debts, Bonds, Deeds, Covenants or other Securities, or some part thereof; and every such By-law shall be valid and effectual and binding upon such Municipal Corporation, although the Rate settled or imposed thereby be less than is required by the said sections last mentioned; and all and every the provisions of the said sections, shall, so far as applicable, apply and extend to every such By-law, and the moneys raised or to be raised thereby, as fully in every respect as such provisions would extend or apply to any By-law enacted by any such Municipal Council for the creation of any Debt, as provided in the said sections, or to the moneys raised or to be raised thereby.

3.—HOW ACCOUNTS OF DEBTS AND RATES TO BE KEPT.

Two special accounts to be kept. 1. of the Special rates. 2. of the Sinking Fund.

223. The Council of every County, Provisional Corporation, Township, City, Town and incorporated Village, shall keep in its books two separate Accounts, one for the Special Rate, and one for the Sinking Fund, of every debt, to be both distinguished from all other accounts in the books by some prefix designating the purpose for which the debt was contracted; and shall keep the said Accounts, with any others that are necessary, so as to exhibit at all times the state of every debt, and the amount of monies raised, obtained and appropriated for payment thereof;

When surplus to be carried to the sinking fund account.

224. If, after paying the interest of a debt and appropriating the necessary sum to the sinking fund of such debt for any financial year, there is a surplus at the credit of the Special Rate Account of such debt, such surplus shall so remain, and may be applied, if necessary, towards the next year's interest; but if such surplus exceeds the amount of the next year's interest, the excess shall be carried to the credit of the Sinking Fund Account of such debt;

4.—HOW SURPLUS TO BE INVESTED.

How surplus to be disposed of.

225. Every such Council shall, from time to time, invest in Government securities or otherwise, as the Governor in Council directs, such part of the produce of the special rate levied in respect of any debt and at the credit of the Sinking Fund Account, or of the Special Rate Account thereof as cannot be immediately applied towards paying the debt by reason of no part thereof being yet payable; and the Council shall apply all interest or dividends received upon such investments to the same purpose as this Act directs the amount levied by the Special Rate to be applied;

Investment how to be made.

5.—APPROPRIATION OF SURPLUS.

226. Every such Council may appropriate to the payment of any debt the surplus income derived from any public or corporation work, or from any share or interest therein, after paying the annual expenses thereof, or any unappropriated money in the Treasury or any money raised by additional rate; and any money so appropriated shall be carried to the credit of the Sinking Fund of such debt.

Council may apply other funds towards such debts.

6.—WHEN BY-LAWS CREATING DEBTS REPEALABLE.

227. When part only of a sum of money provided for by a By-law has been raised, the Council may repeal the By-law as to any part of the residue and as to a proportionate part of the Special Rate imposed therefor, provided such repealing By-law recites the facts on which it is founded, and is appointed to take effect on the thirty-first day of December in the year of its passing, and does not affect any rates due, or penalties incurred before that day, and provided the By-law is first approved by the Governor in Council;

When part only of a debt has been incurred, the By-law *pro tanto* may be repealed.

228. After a debt has been contracted, the Council shall not, until the debt and interest have been paid, repeal the By-law under which the debt was contracted or any By-law for paying the debt or the interest thereon or for providing therefor a rate or additional rate, or appropriating thereto the surplus income of any work or of any stock or interest therein, or money from any other source; and the Council shall not alter a By-law providing any such rate so as to diminish the amount to be levied under the By-law, except in the cases herein authorized, and shall not apply to any other purpose any money in the Corporation Treasury which, not having been previously otherwise appropriated by any By-law or Resolution, has been directed to be applied to such payment;

By-laws not repealable and appropriations not revocable till debt paid.

7.—WHEN SPECIAL RATE MAY BE REDUCED.

229. In case the special rate imposed for the payment of a debt, and collected for any particular year, or on hand from previous years, with such sums as are derived for such particular year from the surplus income of any work, or of any share or interest therein applicable to the Sinking Fund of the debt, or from the temporary investment of the Sinking Fund of the debt, or any part of it, and respectively carried to the credit of the Sinking Fund for such particular year, amount together, or in case any of them amount together, to more than the annual sum required to be raised as a special rate to pay the debt and interest, and therefore, leave a surplus after paying the interest and making the necessary appropriation to the Sinking Fund of the debt, for such year—the Council may pass a By-law

When the rate imposed by By-law may be reduced by By-law.

reducing the total amount to be levied under the original By-law for the following year to a sum not less than the difference between such last mentioned surplus and the annual sum which the original By-law named and required to be raised as a special rate. 5

Recitals in such By-law.

230. But such By-law shall not be valid—unless it recites:

1. The amount of the special rate imposed by the original By-law ;

2. The balance of such rate for the particular year or on hand from former years ; 10

3. The surplus income of the work, share or interest therein received for such year ; and,

4. The amount derived for such year from any temporary investment of the Sinking Fund—

Nor unless such By-law names the reduced amount in the 15 pound to be levied under the original By-law—

To be approved of by the Governor.

Nor unless such By-law is afterwards approved by the Governor in Council.

8.—ANTICIPATORY APPROPRIATIONS.

Anticipatory appropriations may be made.

231. In case any such Council desires to make an Anticipatory appropriation for the next ensuing or some other future year in 20 lien of the special rate for such year, in respect of any debt, such Council may do so, by By-law, in the manner and subject to the provisions and restrictions following :

What Fund may be so appropriated.

1. The Council may carry to the credit of the Sinking Fund account of the debt, as much as necessary for the purpose 25 aforesaid ;

The sources to be distinguished.

1. Of any money at the credit of the Special Rate Account of the debt beyond the interest on such debt for the year following that in which the Anticipatory Appropriation is made ; 30

2. And of any money raised for the purpose aforesaid by additional rate or otherwise ;

3. And of any money derived from any temporary investment of the Sinking Fund ;

4. And of any surplus money derived from any corporation 35 work or any share or interest therein ;

5. And of any unappropriated money in the Treasury ;

Such moneys respectively not being otherwise appropriated ;

2. The By-law making such appropriations shall distinguish the several sources of the amount and the portions thereof to be respectively applied for the interest and for the Sinking Fund
5 Appropriation of the debt for such next ensuing or other future year ;

3. In case the money so retained at the credit of the Special Rate Account and so appropriated to the Sinking Fund account, from all or any of the sources above mentioned are
10 sufficient to meet the Sinking Fund Appropriation and interest for the next ensuing year if that year be intended or for such other future year as may be intended, the Council may then pass a By-Law directing that the original rate for such next ensuing or other future year be not levied ;

When sufficient, the yearly rate may be suspended for the future year.

15 **232.** Such By-law shall not be valid unless it recites.

1. The original amount of the debt, and in brief and general terms, the object for which the debt was created ;

The By-law to recite the original debt.

2. The amount, if any, already paid of the debt ;

The amount paid.

3. The annual amount of the Sinking Fund Appropriation re-
20 quired in respect of such debt :

The amount of Sinking Fund yearly.

4. The total amount, then on hand, of the Sinking Fund Appropriations, in respect of the debt, distinguishing the amount thereof in cash in the treasury from the amount temporarily invested ;

The amount in hand.

25 5. The amount required to meet the interest of the debt, for the year next after the making of such Anticipatory Appropriation ; and

The amount required for the next year's interest.

6. That the Council has retained at the credit of the Special Rate Account of the debt, a sum sufficient to meet the next
30 years' interest (naming the amount of it) and that the Council has carried to the credit of the Sinking Fund Account a sum sufficient to meet the Sinking Fund Appropriation (naming the amount of it) for such year ; and

And of its being reserved.

7. No such By-law shall be valid unless approved by the
35 Governor in Council.

By-law to be approved by Governor.

233. After the dissolution of any Municipal Union the Senior Municipality may make an anticipatory appropriation for the relief of the Junior Municipality, in respect of any debt secured by By-law in the same manner as the Senior Municipality might do on its own behalf.

After the dissolution of a

9.—REPORT OF DEBTS TO BE MADE YEARLY.

Union the Senior Municipality may relieve the Junior by an anticipatory appropriation.

234. Every such Council shall, on or before the thirty-first day of January in each year, transmit to the Governor General, through the Provincial Secretary, an account of the several debts of the Corporation, as they stood on the thirty-first day of December preceding, specifying in regard to every debt of 5 which a balance remained due at that day ;

The Council to make a yearly report of the state of the debts to the Governor, &c.

1. The original amount of the debt ;
2. The date when it was contracted ;
3. The days fixed for its payment ;
4. The interest to be paid therefor ; 10
5. The rate provided for the redemption of the debt and interest ;
6. The proceeds of such rate for the year ending on such thirty-first day of December ;
7. The portion (if any) redeemed of the debt during such 15 year ;
8. The amount of interest (if any) unpaid on such last mentioned day, and
9. The balance still due of the principal of the debt.

The Governor may prescribe a form of account.

235. The form of such account may from time to time be 20 prescribed by the Governor in Council.

10.—COMMISSIONS OF INQUIRY RESPECTING MUNICIPAL FINANCES.

When a commission of inquiry may issue.

236. In case one third of the members of any such Council petition for a Commission or Commissions to issue under the Great Seal, to inquire into the financial affairs of the Corporation and things connected therewith, and if sufficient cause be shewn, 25 the Governor in Council may issue a Commission or Commissions accordingly, and the Commissioner or the Commissioners, or such one or more of them as the Commission empowers to act, shall have the same power to summon witnesses, enforce their attendance, and compel them to produce do- 30 cuments and to give evidence, as any Court has in civil cases.

Expenses of such Commissions provided for.

237. The expense to be allowed for executing such Commission shall be determined and certified by the Inspector General or his Deputy, and shall become thenceforth a debt due to the Commissioner or Commissioners by the Corporation, and shall 35

be payable within three calendar months after demand thereof made by the Commissioner, or by any one of the Commissioners, at the office of the Treasurer of the Corporation.

2.—PROVISIONS APPLICABLE TO ALL MUNICIPALITIES EXCEPT PROVISIONAL CORPORATIONS.

238. The following Section numbered 239 and Subsections apply to the following Municipalities and Municipal Councils, namely : Sections applicable to all except Provisional Councils.

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|---|--|--|
| <ul style="list-style-type: none"> 1. Counties, 2. Townships, 3. Cities, | | <ul style="list-style-type: none"> 4. Towns, and 5. Incorporated Villages, |
|---|--|--|

239. The Council of every County, Township, City, Town and Incorporated Village may respectively pass By-laws. Township Council may make By-laws.

OBTAINING PROPERTY.

1. For obtaining such real and personal property as may be required for the use of the Corporation, and for erecting, improving and maintaining a Hall and any other houses and buildings required by and being upon the land of the Corporation, and for disposing of such property when no longer required ; For obtaining property real and personal, &c.

APPOINTING CERTAIN OFFICERS.

2. For appointing under the corporate Seal such,— To appoint officers.

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> 1. Pound-keepers ; 2. Fence-Viewers ; | | <ul style="list-style-type: none"> 3. Overseers of Highways ; 4. Road Surveyors ; |
|--|--|---|

5. And other officers as are necessary in the affairs of the Corporation, or for carrying into effect the provisions of any Act of the Legislature for the removal of such officers ; and For regulating the remuneration, fees, charges and duties of such officers, and the securities to be given for the performance of such duties ; To fix fees and securities.

AIDING AGRICULTURAL SOCIETIES.

3. For granting money or land in aid of the Agricultural Association of Upper Canada or of any duly organized Agricultural or Horticultural Society in Upper Canada, or of any incorporated Mechanics' Institute within the limits of the Municipality ; For aiding agricultural societies.

CENSUS.

4. For taking a Census of the inhabitants, or of the resident Male freeholders and householders of the Municipality ; Local census.

FINES AND PENALTIES.

Fines and penalties for neglect of duty.

5. For inflicting reasonable fines and penalties not exceeding Five Pounds exclusive of costs,—

1. Upon any person for the non-performance of his duties who has been elected or appointed to any Office in the Corporation, and who has accepted such Office and taken the oaths, and afterwards neglects the duties thereof; and 5

2. For breach of any of the By-laws of the Corporation; and

3. For collecting such penalties by distress and sale of the goods and chattels of the offender;

Imprisonment when allowed and time of.

6. For inflicting reasonable punishment, by imprisonment with or without hard labour either in a Lock-up house in some Town or Village in the Township, or in the County Gaol or House of Correction for any period not exceeding Twenty-one days, for breach of any of the By-laws of the Council in case of non-payment of the Fine inflicted for any such breach, and there being no distress found out of which such fine can be levied. 10 15

For refusing office.

7. For inflicting reasonable fines and penalties not less than Two nor more than Twenty pounds upon any person elected or appointed to any Municipal Council, or other Corporate Office, who being duly qualified refuses to accept the same or to take the oaths of qualification and of office. 20

3.—PROVISIONS APPLICABLE TO TOWNSHIPS, CITIES, TOWNS, AND INCORPORATED VILLAGES.

240. The following Sections and subsections numbered from 241 to 252 shall apply to the following Municipalities and Municipal Councils, namely :

- | | | | |
|---------------|--|---------------------------|----|
| 1. Townships, | \| | 3. Towns, and | 25 |
| 2. Cities, | | 4. Incorporated Villages. | |

PUBLIC HEALTH.

Members of Council to be health officers.

241. The Members of every Township, City, Town and Incorporated Village Council shall be Health Officers within their respective Municipalities, under the Statute of Upper Canada, passed in the fifth year of the reign of His late Majesty, King William the Fourth, intituled, *An Act to promote the Public Health and to guard against infectious diseases in this Province*, and under any Act hereafter passed for the like purpose; but any such Council may by By-law delegate the powers of its members as such Health Officers to a committee of their own number, or to such persons, either including or not including some of themselves, any of themselves as the Council thinks best. 30 40

SHOPS AND TAVERNS.

212. The Council of every such Municipality may respectively pass By-laws.

SALE OF SPIRITUOUS LIQUORS.

1. For prohibiting the sale by retail of spirituous, fermented or other manufactured liquors in any Inn or other House of public entertainment; and for prohibiting the sale thereof in Shops and places other than houses of public entertainment; Provided, such By-law, before the final passing thereof, has been duly approved by the Electors of the Municipality in the manner provided by this Act;

Sale of liquors in shops or taverns may be prohibited.

WHAT ACCOMODATION TO BE PROVIDED.

2. For declaring the terms and conditions required to be complied with, and the security to be given by any applicant for a Tavern license for the orderly keeping and the description of his house and the accommodation he is to have and keep therein;
- Terms on which license may be granted.
3. For declaring the security to be given by any applicant for a Shop or Tavern License, for observing the By-laws of the Municipality;
- Security to be given.
4. For limiting the number of Tavern and Shop licenses respectively, that may be issued by the Shop and Tavern License Board hereinafter mentioned;
- Number of may be limited.
5. For regulating the houses or places licensed, the time the licenses are to be in force not exceeding one year, and the sums to be paid therefor respectively;
- Regulation of Public Houses.
- 213.** The sum to be paid for a Tavern license shall exceed and include the duty payable under the Imperial Statute passed in the fourteenth year of the Reign of King George the Third, intituled, *An Act to establish a fund towards defraying the charges of the administration of Justice and the support of the Civil Government within the Province of Quebec*, and every license so granted as aforesaid shall be held a license for the purpose of the said Imperial Act, and the sum paid for such License shall be applied to the use of the Corporation; But no By-law by which a greater sum than Ten Pounds per annum is intended to be exacted for any Shop or Tavern License, or for leave to exercise any other calling, or to do any other thing for which a License may be required, shall have force or effect, unless such By-law before the final passing thereof has been duly approved by the electors of the Municipality in the manner provided by this Act.
- The sums imposed for.
Licenses to include the Imperial duty.
Licenses not to exceed £10 unless approved by public vote, &c.

INSPECTORS OF LICENSES.

214. The Council of every such Municipality may respectively pass By-laws :

Appointment of Inspectors of Shop and Tavern Licenses.
Time of and qualification for office.

1. For appointing annually one or more fit and proper persons, possessing the same property qualification as that required for the Councillors of the Municipality, to be Inspectors of Shop and Tavern Licenses, who shall hold office during the current year, and any vacancy occurring during the year shall be filled by the Council, for the remainder of such year. 5

Duties and remuneration of.
Security to be given by.

2. For fixing and defining the duties, powers and privileges of the Inspectors so appointed; the remuneration they shall receive; and the security to be given by them for the efficient discharge of the duties of their office; such By-laws not being contrary to law and 10

EXPENSES,

License Board expenses and Inspectors, salaries.

3. For providing for the expenses of the Shop and Tavern License Board. 15

215. The Council of every such Municipality, respectively shall provide for and pay all reasonable expenses of such License Board and the salaries or other compensation of Inspectors appointed for the Municipality.

216. Every such Council respectively may also pass By-laws :

1.—BILLIARD TABLES.

Billiard Tables to be licensed.

1. For licensing, regulating and governing all persons who, for hire or gain directly or indirectly, keep, or have in their possession, or on their premises, any Billiard Table, or who keep or have a Billiard Table in a house or place of public entertainment or resort whether such Billiard Table is used or not, and for fixing the sum to be paid for a License so to have or keep such Billiard Table, and the time such License shall be in force; 25

2.—VICTUALLING HOUSES, &c.

Victualling houses, number and regulations of.

2. For regulating, and limiting the number of Victualling Houses, ordinaries, and houses where fruit, oysters, clams, or victuals are sold to be eaten therein, and all other places for the reception, refreshment or entertainment of the public; and 30

License and fee for same.

3. For Licensing the same when no other provision exists therefor, and for fixing the rates of such Licenses not exceeding Five Pounds.

3.—LICENSES HOW LONG TO CONTINUE.

247. In case any By-law respecting Licenses is repealed, altered or amended, no person shall be required to take out a new license or to pay any additional sum upon his license during the time for which the same has been granted to him ; and

Licenses when not required to be renewed.

4.—LICENSE FEES.

248. All sums of money levied for licenses shall belong to the Corporation of the Municipality in which they are levied.

License fees to belong to Municipality.

5.—DISORDERLY INNS.

249. The Mayor or Police Magistrate of a Town or City, with any two Justices of the Peace having Jurisdiction therein, or the Town Reeve of a Township or Village with any two Justices of the Peace having Jurisdiction in such Township or Village, upon complaint made on oath to them or one of them respectively, of riotous or disorderly conduct in any Inn, Tavern, Ale or Beer house situate within their Jurisdiction, may summon the keeper of such Inn, Tavern, Ale or Beer House, to answer the complaint, and may investigate the same summarily, and either dismiss the complaint with costs to be paid by the complainant, or convict the keeper of having a riotous or disorderly house, and annul his license, or suspend the same for not more than sixty days with or without costs, as in their discretion may seem just.

How keepers of disorderly Inns to be proceeded against.

LAND MARKS AND BOUNDARIES.

250. In case the Council of any such Municipality adopts a resolution on the application of one half of the resident land holders to be affected thereby, that it is expedient to place durable monuments at the front or rear of any concession or range or part thereof in the municipality, or at the front and rear angles of the lots therein, such Council may apply to the Governor in the manner provided for in thirty-first section of the Act passed in the twelfth year of Her Majesty's Reign chapter thirty-five, praying him to cause a survey of such concession or range, or such part thereof, to be made and such monuments to be placed under the authority of the commissioner of Crown Lands, and the person or persons making such survey shall accordingly plant stone or other durable monuments at the front or at the rear of such concession or range, or such part thereof as aforesaid, or at the front or rear angles of each and every lot therein, (as the case may be,) and the limits of each lot so ascertained and marked, shall be the true limits thereof ; and the costs of the said survey shall be defrayed in the manner prescribed by the said thirty-first section of the aforesaid Statute of twelfth Victoria, Chapter thirty-five.

Land marks and monuments to mark boundaries.

251. The Council of every such Municipality respectively may also pass By-laws

PROVISION FOR ESTABLISHING BOUNDARIES.

Ascertaining
and marking
boundaries of
Townships.

1 For procuring the necessary estimates, and making the proper application for ascertaining and establishing the boundary lines of the Municipality, according to law, in case the same has not been done ; and for erecting and providing for the preservation of the durable monuments, required to be erected for evidencing the same. 5

2.—SCHOOLS.

Acquiring
land for
schools.

2. For obtaining such real property as may be required for the erection of Common School Houses thereon and for other Common School purposes, and for the disposal thereof when no longer required ; and for providing for the establishment and support of Common Schools according to law ; 10

3—CRUELTY TO ANIMALS.

Preventing
cruelty to
animals.

3. For preventing Cruelty to animals ; not being inconsistent with the Statute in that behalf ; 15

4.—TAX ON DOGS.

Tax on dogs.

4. For imposing a tax on the owners, possessors or harbourers of dogs ; and for killing dogs running at large contrary to the By-laws ;

5.—FENCES.

Height of
Fences.

5. For settling the height and description of lawful fences.

6.—DIVISION FENCES.

Of division
fences.

6. For regulating the height, extent and description of lawful division fences ; and for determining how the cost thereof shall be apportioned ; and for directing that any amount so apportioned shall be recovered in the same manner as penalties not otherwise provided for may be recovered under this Act ; Provided that until such By-laws are made, the Statute eighth Victoria chapter twenty shall continue applicable to every such Municipality ; 25

7.—WEEDS.

Destruction of
weeds.

7. For preventing the growth of weeds detrimental to good husbandry ;

8.—EXHIBITIONS, SHOWS, &c.

Licensing
Public Shows.

8. For preventing or regulating and licencing exhibitions of Wax, Work, Menageries, Circus riding and other such like

shows usually exhibited by showmen, and for requiring the payment of License fees for authorizing the same not exceeding Five Pounds for every such License, and for imposing fines upon persons infringing such By-Laws and for levying the same by distress and sale of the goods and chattels of such showman or belonging to or used in such Exhibition whether owned by such showman or not, or for the imprisonment of such offenders for any term not exceeding one calendar month ;

9.—GRAVES.

9. For preventing the violation of graves, tombs, tombstones or vaults where the dead are interred. Protecting graves.

10.—GAS AND WATER.

10. For authorizing any Corporate Gas or Water Company to lay down pipes or conduits for the conveyance of water or gas under streets or public squares, subject to such regulations as the Council sees fit ; Authorising Gas and Water Companies to lay down pipes, &c.

STOCK IN.

13. For acquiring stock in, or lending money to, any such Company ; and for guaranteeing the payment of money borrowed by, or of debentures issued for money so borrowed by, the Company ; Provided the By-law is consented to by the Electors, as hereinbefore provided. Taking Stock in Gas and Water Companies.

252. The Head of any Corporation holding Stock in any such Company to the amount of two thousand five hundred pounds shall be *ex officio* a Director of the Company in addition to the other Directors thereof, and shall also be entitled to vote on such Stock at any Election of Directors. Head of Corporation to be a Director.

4.—PROVISIONS APPLICABLE TO TOWNSHIPS AND COUNTIES.

The following Section No. 253 applies to Townships and Counties :

253. The Council of every Township and County may pass By-laws for paying the Members of the Council for their attendance in Council. Remunerating Councilors.

5.—PROVISIONS APPLICABLE TO TOWNSHIPS ONLY.

254. The following Sections numbered 255 and 256 and subsections apply to Townships only.

1. TOWNSHIP WARDS.

255. In case a majority of the qualified Electors of a Township on the last revised assessment Roll do, by Petition in Wards how to be formed

upon Petitions of a majority of the Electors.

writing signed by them, apply to the Council of the Township to divide the Township into Wards, if not already so divided, or to abolish or alter, in manner specified in the Petition, any existing division into Wards, the following proceedings thereon shall be taken :

5

Duty of Council in the formation of Wards. To consist of five.

1. In case the Petition is for a division into wards for the first time, the Council shall so arrange the Wards that they may be as compact, and contain as nearly an equal number of Electors, as may consist with the convenience of the inhabitants, the number of Wards being five in all cases ;

10

To pass a by-law.

2. The Council shall pass a By-law to give effect to the Petition ;

What same to recite.

3. The By-law shall recite the Petition and that the By-law is passed in compliance with the prayer of the Petition, and shall also recite the present section of this Act, and shall limit the By-law to take effect on the first day of December after the next annual Municipal Election in case the same be assented to at the election by a majority of the voters thereupon ;

15

Copy of By-law to be delivered to Returning Officer.

4. The Reeve of the Township shall cause a certified copy of the By-law, to be delivered to the Returning Officer of the Township, or of each Ward thereof, *as the case may be*, before the Annual Election next after the passing of the By-law ;

20

Who is to put up copies in public places.

5. When the By-law is for a division into Wards, or for the alteration of an existing division, the Returning Officer shall, during the election, cause fair Copies of the By-law to be put up for public inspection, in at least four conspicuous places about the place where the Poll is held.

25

Form of Poll Books.

6. The Returning Officer shall insert appropriate Columns in the Poll Books, headed :

“ For the division into Wards,” and

30

“ Against the division into Wards ;” or

“ For the alteration of the division into Wards,” and

“ Against the alteration of the division into Wards ;” or

“ For the abolishing of Wards,” and

“ Against the abolishing of Wards ;”

35

And shall, in such columns, while the Poll for the Election of Councillors is open, receive and record the Votes of Electors tendered for and against the By-law ;

The Reeve to give notice of the result.

7. The Reeve shall, in one month after such Election, examine the Returns of the votes for and against such By-law, and give Public notice of the result.

40

8. Such By-law shall not be repealed or altered except by a By-law how
By-law petitioned for, and assented to, as required for the repealable.
original By-law;

SPECIAL POWERS APPLICABLE TO THE TOWNSHIP OF STAMFORD ONLY.

256. The Council of the Township of Stamford may, in The Council
5 addition to its other powers, from time to time, pass By-laws, may pass By-
to have effect only within such limits in the vicinity of the law.
Falls of Niagara as may be prescribed therein for the follow-
ing purposes.

1. To prohibit any person from soliciting passengers, visi- To require
10 tors, or others to resort or go to any inn, tavern, or boarding runners to be
house, museum or other place of resort, or from acting as licensed.
guides within the limits aforesaid, unless licensed by such
Council ;

2. To Regulate and license the owners of livery stables, To license and
15 horses, cabs, carriages and other vehicles used for hire within regulate the
such limits, and to compel in a summary way the prompt owners of
payment of the lawful price or hire to the owner or driver Horses, Cabs,
thereof, by the parties hiring or using the same, according Carriages, &c.,
to such tariff as may from time to time be established by in the vicini-
20 the By-laws of the Council ; to prevent runners, stage ty of the
drivers and others in the streets or public places, soliciting Falls of Nia-
and importuning passengers and others to go or travel in gara.
any boat, vessel, carriage or other vehicle ; and also, to require
any person licensed by the Council to exhibit, when called
25 upon, a certified copy of the tariff of charges for his remun-
eration as prescribed by the Council ;

3. To make all such other rules and regulations, not re- For the gene-
pugnant to law, for the welfare and good government of the ral good go-
Municipality, within the limits prescribed as aforesaid, as the vernment of
30 Council from time to time deems expedient ; that part of
the Municipality.

4. To Grant all such licenses and make all such rules To grant Li-
and regulations as may be necessary and proper for carry- censes, &c.,
ing into execution the powers vested in the Council : accordingly.
But no person shall be subject to be fined more than Five
35 Pounds, exclusive of costs, or to be imprisoned more than No fine to ex-
twenty days, for the breach of any By-law or regulation of ceed £5 and
the Council made in pursuance of the foregoing Section and imprisonment
Sub-Sections of this Act ; not to exceed
20 days.

5. The moneys raised from the licenses aforesaid shall Fines how to
40 be expended under the direction of the Council within the be expended.
limits so prescribed as aforesaid, in repairing the roads
and making such other improvements as the Council may
consider advisable.

2. POOR.

By-laws for the relief of the poor when and how they may be passed.

257. Every Township Council may also make By-laws for raising money by a rate to be assessed equally on the whole rateable property of the Township, for the support of the poor resident in the Township. But no By-law for such purpose shall be passed unless upon a written request to that effect signed by a majority of the Freeholders and Household- 5
ers on the assessment roll of the Township for the year in which the request is made, nor unless for at least one month previous to the passing of the By-law a printed copy of the request and signatures thereto has been put up in at 10
least four public places within the Township and also at the usual place for holding the meeting of the Township Council, nor unless the said request has also been inserted in a news paper published in the County for at least four weeks before the passing of the By-law. 15

6.—PROVISIONS APPLICABLE TO COUNTIES, CITIES, TOWNS AND INCORPORATED VILLAGES.

258. The following Section numbered 259 and subsections apply to the following Municipalities and Municipal Councils.

- | | | |
|--------------|--|---------------------------|
| 1. Counties, | \| | 3. Towns, |
| 2. Cities, | \| | 4. Incorporated Villages. |

INSPECTORS OF WEIGHTS AND MEASURES.

259. The Council of every County, City, Town and incor- 20
porated Village may pass By-laws :

May appoint Inspectors of weights and measures.

1. For appointing Inspectors to regulate weights and mea-
sures, according to the lawful standard ;
2. And for visiting all places wherein weights and measures,
steelyards, or weighing machines of any description, are used ; 25
3. And for seizing and destroying such as are not according
to such standard ; and
4. For imposing and collecting penalties upon persons who
are found in possession of unstamped or unjust weights,
measures, steel-yards, or other weighing machines. 30

7.—PROVISIONS APPLICABLE TO COUNTIES, CITIES AND TOWNS.

260. The following Section numbered 261 and subsections apply to the following Municipalities and Municipal Councils.

1. Counties,
2. Cities, and
3. Towns. 35

1.—GAS AND WATER.

261. The Council of every County, City and Town, may respectively pass By-laws :

1. For lighting the Municipality, and for this purpose performing any work, and placing any fixtures, that are necessary, on private property ; Lighting with Gas.

2. For constructing Gas and Water Works, on the credit of the Consolidated Municipal Loan Fund and for levying an annual special rate to defray the yearly interest of the expenditure, and, form an equal yearly sinking fund for the payment of the principal within such time as shall not exceed thirty years, nor be less than five years ; Gas and Water Works.

But no such By-law shall be passed, Firstly, until estimates of the intended expenditure are published for one month, and notice of the time appointed for taking a Poll of the Electors on the proposed By-law has been published for two months, and a copy of the proposed By-law at length as the same may be ultimately passed, and a notice of the day appointed for finally considering the same in Council, are published for three months, in some newspaper in the Municipality ; or, if no newspaper is published therein, then in some newspaper in the County in which the Municipality is situate ; Estimate to be published and a Poll held on the By-law.
Proceedings in taking public vote.

Nor, Secondly, until at a Poll, held in the same manner and continued for the same time as at elections for Councillors, at least two thirds of the Electors, voting at such Poll, vote in favor of the By-law ; Poll to be held.

Nor, Thirdly, unless the By-law is thereafter passed at the special meeting mentioned in the published notice. By-law to be passed only at a special meeting &c.

262. If the proposed By-law is rejected at such Poll, no other By-law for the same purpose shall be submitted to the electors during the current year. Coroners to be appointed.

·8.—PROVISIONS APPLICABLE TO COUNTIES AND CITIES.

263. The following Section numbered 264 and subsections apply to the following Municipalities :

1. Counties, and
2. Cities.

264. The Council of every County and City may respectively pass By-laws for the following purposes :

1.—ENGINEERS—INSPECTORS.

Engineers and 1. For appointing under the corporate seal in addition to other officers, one or more Engineers, and also one or more Inspectors of the House of Industry, and for the removal of such officers ;

2.—AUCTIONEERS.

Auctioneers. 2. For licencing, regulating and governing Auctioneers and other persons selling or putting up for sale goods, wares, merchandize or effects by public auction ; and for fixing the sum to be paid for every such License, and the time it shall be in force ;

3.—HAWKERS AND PEDLARS.

Hawkers and pedlars. 3. For licencing, regulating and governing hawkers or petty chapmen, and other persons carrying on petty trades, who have not become householders by permanent residents in the County or City, or who go from place to place or to other men's houses, on foot, or with any animal bearing or drawing any goods, wares or merchandize for sale, or in or with any boat, vessel, or other craft or otherwise, carrying goods, wares or merchandize for sale, and for fixing the sum to be paid for a license for exercising such calling within the County or City, and the time the license shall be in force ; but no duty shall be imposed for hawking or peddling any goods, wares or merchandize, the growth, produce or manufacture of this Province, not being liquors mentioned in the 242 Section of this Act ;

4.—FERRIES.

Ferries. 4. For regulating Ferries between any two places in the Municipality ; and establishing the rates of ferriage to be taken thereon ; but no such By-law as to Ferries, shall have effect until assented to by the Governor in Council.

265. Until the Council of the County or City passes a By-law regulating such Ferries, and in the cases of ferries not between two places in the same Municipality, the Governor by Order in Council may from time to time regulate such ferries respectively and establish the rates to be taken thereon, in accordance with the Statutes in force relating to Ferries.

9.—PROVISIONS APPLICABLE TO COUNTIES ONLY.

266. The following sections numbered from 267 to 272 and subsections apply to Counties only :

267. The Council of every County may pass By-laws for the following purposes :

1.—LANDS FOR GRAMMAR SCHOOLS.

Purchase of lands for 1. For obtaining in such part of the County, or of any City within such County, as the wants of the people may most

require, the real property requisite for erecting County Grammar School Houses thereon, and for other Grammar School purposes, and for preserving, improving and repairing such School Houses, and for disposing of such property when no longer required ;

Grammar
Schools.

2.—AIDING GRAMMAR SCHOOLS.

2. For making provision in aid of such Grammar Schools as may be deemed expedient ;

Aiding such
school.

3.—PUPILS COMPETING FOR UNIVERSITY PRIZES.

3. For making a permanent provision for defraying the expense of the attendance at the University of Toronto, and at the Upper Canada College and Royal Grammar School there, of such of the Pupils of the Public Grammar Schools of the County as are unable to incur the expense but are desirous of, and, in the opinion of the respective Masters of such Grammar Schools, possess competent attainments for, competing for any Scholarship, Exhibition or other similar Prize, offered by such University or College ;

Grammar
school pupils
competing for
University
prizes.

4. For making similar provision for the attendance at any County Grammar School, for like purposes, of Pupils of the Common Schools of the County ;

Attendance of
common
school pupils
at grammar
schools.

4.—ENDOWING FELLOWSHIPS.

5. For endowing such Fellowships, Scholarships or Exhibitions, and other similar Prizes, in the University of Toronto, and in the Upper Canada College and Royal Grammar School there, for competition among the Pupils of the Public Grammar Schools of the County, as the Council deems expedient for the encouragement of learning amongst the youth thereof.

Endowing
Fellowships.

SEPARATE IMPROVEMENTS BY UNITED COUNTIES.

268. The Councils of United Counties may make appropriations and raise funds, to enable either County separately to carry on such improvements as may be required by the inhabitants thereof.

One of several
United Counties
may separately
make im-
provements
with Union
Funds.

269. Whenever any such measure is brought under the notice of the Council of any United Counties, none but the Reeves and Deputy Reeves of the County to be affected by the measure shall vote ; except in case of an equality of votes for or against the measure, when the Warden, whether a Reeve or Deputy Reeve of any portion of the County to be affected by the measure or not, shall have the casting vote.

Reeves of the
County inter-
ested only to
vote for.

270. In all other respects, all the provisions of this Act, giving such privileges and making provision for the payment

Provisions of
this Act

for repay-
ment to ap-
ply.

of the amounts appropriated, whether to be borrowed upon a loan or to be raised by direct taxation, shall be adhered to.

Treasurer to
pay over
moneys, with-
out deduction.

271. The Treasurer of the United Counties shall pay over all sums so raised and paid into his hands by the several Col-
lectors without any deduction for per centage. 5

In such cases
the property
of the County
interested is
alone to be
assessed.

272. The property to be assessed for the purposes contemplated in the four last preceding sections of this Act, shall be the same as the property assessed for any other County purpose, except that any sum to be raised for the purposes of one County only, or for the payment of any debt contracted for the purposes of one 10
County only, shall be assessed and levied solely upon property assessed in that County, and not upon property in any other County united with it.

10.—PROVISIONS APPLICABLE TO CITIES TOWNS AND INCORPORATED VILLAGES.

273. The following section numbered 274 and subsections apply to the following Municipalities and Municipal Councils: 15

1. Cities,
2. Towns and
3. Incorporated Villages.

274. The Council of every City, Town and Incorporated Village may respectively pass By-laws for the following pur- 20
poses :

1.—DRAINS, HARBOURS, DOCKS, &c.

May pass By-
laws.
Taxing realty
for repair of
drains, &c.

1. For assessing and collecting from the proprietors of real property, immediately benefited by making or repairing any Drain or Posts or pavement in any public way or place near to such property, such sums as may be necessary for so 25
making or repairing the same.

For levying
an annual rate
for Sewers.

2. For levying an annual rate on the property benefited by any Common Sewer for the construction and maintenance thereof, or for the payment of interest upon the money expended thereon. 30

For the clean-
liness of
streets, &c.

3. For regulating or preventing the encumbering, injuring or fouling, by animals, vehicles, vessels or other means, of any public wharf, dock, slip, drain, sewer, shore, bay, harbour, river or water ;

For removal
of door steps,
&c.

4. For directing the removal of door steps, porches, railings or 35
other erections, or obstructions projecting into or over any wharf, dock, slip, drain, sewer, bay, harbour, river or water or the banks or shores thereof, at the expense of the proprietor or

occupant of the property connected with which such projections are found ;

5. For making, opening, preserving, altering, improving and maintaining public wharves, docks, slips, shores, bays, harbours, rivers or waters and the banks thereof ; Wharves, docks, &c.

6. For regulating Harbours, for preventing the filling up or encumbering thereof ; for erecting and maintaining the necessary beacons, and for erecting and renting wharves, piers and docks therein ; for regulating the vessels, crafts, and rafts, arriving in any Harbour ; and for imposing and collecting such reasonable Harbour dues thereon as may serve to keep the Harbour in good order, and to pay a Harbour Master ; For harbours, &c.
For regulat-
ing harbours,
&c.

2.—WATER.

7. For establishing, protecting and regulating public wells, reservoirs and other conveniences for the supply of water ; and for making reasonable charges for the use thereof ; and for preventing the wasting and fouling of public water ; For supply-
ing water, &c.

3.—CEMETERIES.

8. For accepting and purchasing land for public cemeteries, as well within as without the Municipality ; and for laying out, improving and managing the same ; but no land shall be accepted or purchased for such purpose except by a By-law declaring in express terms that the land is appropriated for a public cemetery and for no other purpose ; and thereupon such land, although without the Municipality, shall become part thereof, and shall cease to be part of the Township to which it formerly belonged ; and such By-law shall not be repealed ; For establish-
ing cemete-
ries.

9. For selling or leasing portions of such land for the purpose of interment, in family vaults or graves, and for declaring in the conveyance the terms on which such portions shall be held. For selling
portions
thereof on
limited terms.

4.—MARKETS.

10. For establishing markets ; Markets.

11. For regulating all markets established and to be established ; The places however already established as markets, in such Villages, shall continue to be markets, and shall retain all the privileges thereof until otherwise directed by competent authority ; and all market reservations or appropriations heretofore made in any Village, shall continue to be vested in the Corporation thereof. For regulat-
ing markets.
Old markets
continued.

12. For preventing the sale by retail in the public streets, of any meat, vegetables, fruit or beverages ; Regulating
vending in
streets.

- Vending in open air. 13. For restraining and regulating the buying and selling of articles or animals exposed for sale or marketed in the open air ;
- Sale of Butcher's meat. 14. For regulating the place and manner of selling and weighing butcher's meat, fish, hay, straw, fodder, wood, and lumber ;
- Preventing forestalling. 15. For preventing the forestalling, regrating or monopoly of market grains, meats, fish, fruits, roots and vegetables ;
- Regulating Hucksters. 16. For restraining and regulating the purchase of such things by hucksters or runners living within the Municipality, or within one mile from the outer limits thereof ;
- Weighing, &c. 17. For regulating the mode of measuring or weighing, (as the case may be) of lime, shingles, laths, cordwood, and coal and other fuel ;
- Penalties for light weight. 18. For imposing penalties for light weight or short count or short measurement in any thing marketed ;
- Regulating vehicles used in market vending. 19. For regulating all vehicles, vessels and other things in which any thing is exposed for sale or marketed in any street or public place, and for imposing a reasonable duty thereon, and establishing the mode in which it shall be paid ;
- Assize of Bread. 20. For regulating the assize of bread, and preventing the use of deleterious materials in making bread ; and for providing for the seizure and forfeiture of bread made contrary to such By-law ;
- Tainted provisions. 21. For seizing and destroying all tainted and unwholesome meat, poultry, fish, or other articles of food ;
- Rent of market stalls. 22. For selling, after six hours' notice, butchers' meat dis- trained for rent of market-stalls ;

5.--FISHING.

- Fishing. 23. For preventing or regulating the fishing with nets or seines, the use of fishing-lights, or the erection or use of weirs for eels or other fish, in any public water ;

6.--PUBLIC MORALS.

- Observance of Sabbath. 24. For enforcing the due observance of the Sabbath ;
- Preventing sale of Liquors to children, &c. 25. For preventing the sale of intoxicating drink to children, apprentices or servants, without the consent of their legal protectors ;
- Posting placards, &c. 26. For preventing the posting of indecent placards, writings or pictures or the writing, of indecent words, or the making of indecent pictures or drawings on walls or fences in streets or public places ;

27. For preventing vice, drunkenness, profane swearing, Disorderly obscene, blasphemous or grossly insulting language, and other conduct. immorality and indecency in streets or public places ;
28. For suppressing tippling houses and houses of ill fame ; Tippling Houses.
- 5 29. For preventing or regulating horseracing, for preventing Gaming. or regulating and licensing exhibitions held or kept for hire or profit, bowling alleys, and other places of amusement ;
30. For suppressing gambling houses, and for seizing and Gambling. destroying faro-banks, rouge et noir, roulette tables, and other 10 devices for gambling found therein ;
31. For restraining and punishing vagrants, mendicants, and Vagrants. persons found drunk or disorderly in any street or public place ;
32. For preventing indecent public exposure of the person Indecent exposure. and other indecent exhibition ;
- 15 33. For preventing or regulating the washing or bathing in Bathing. any public water in or near the Municipality.

7.—NUISANCES.

34. For abating public nuisances ; Abatement of nuisances.
35. For regulating the construction of privy vaults ; Privy vaults.
36. For causing vacant lots in populous situations where they The enclosing vacant ground. may become nuisances, to be properly enclosed ;
37. For preventing or regulating the erection or continuance Slaughter Houses. of slaughter houses, gas works, tanneries, distilleries or other manufactories or trades which may prove to be nuisances ;
38. For preventing the ringing of bells, blowing of horns, Tumultuous noises. 25 shouting and other unusual noises, in streets and public places ;
39. For preventing or regulating the firing of guns or other Firing guns &c. fire arms ; and the firing or setting off of fire balls, squibs, crackers or fire works, and for preventing charivaries and other like disturbances of the peace ;
- 30 40. For preventing immoderate riding or driving in highways Furious driving. or streets ; for preventing the leading, riding or driving of horses or cattle upon side-walks or other improper places ;
41. For preventing persons in streets or public places from Importuning travellers. importuning others to travel in or employ any vessel or vehicle ;

8.—PUBLIC HEALTH.

Public health. 42. For providing for the health of the Municipality and against the spreading of contagious or infectious diseases ;

9.—INTERMENTS.

Interments. 43. For regulating the interment of the dead ;

Bills of mortality. 44. For directing the keeping and returning of bills of mortality ; and for imposing penalties on physicians, sextons and others for default in doing so ; 5

10.—INJURIES TO PRIVATE PROPERTY.

Malicious trespasses. 45. For preventing the injuring or destroying of trees planted or preserved for shade or ornament ; and

Defacing Sign Boards. 46. For preventing the pulling down or defacing of sign-boards. 10

11.—LICENSES.

Licensing cabs, &c. 47. For regulating and licensing the owners of livery stables and of horses, cabs, carriages, Omnibuses and other vehicles used for hire ; for establishing the rates of fare to be taken by the owners or drivers ; and for enforcing payment thereof ;

12.—GUNPOWDER.

Gunpowder, care of. 48. For regulating the keeping and transporting of gunpowder and other combustible or dangerous materials ; for regulating, and providing for the support by fees, of magazines for storing gunpowder belonging to private parties ; for compelling persons to store therein ; for acquiring land, as well within as without the Municipality, for the purpose of erecting powder magazines and for selling and conveying such land when no longer required therefor ; 20

13.—FIRES.

Fire companies, &c. 49. For appointing Fire Wardens, Fire Engineers and Firemen, and promoting, establishing and regulating fire-companies, hook-and-ladder companies, and property-saving companies ; 25

Medals and rewards to, &c. 50. For providing medals or rewards for persons who distinguish themselves at fires ; and for granting pecuniary aid or otherwise assisting the widows and orphans of persons who are killed by accidents at such fires ; 30

Fires in stables, &c. 51. For preventing or regulating the use of fire or lights in stables, cabinet makers' shops, carpenters' shops, and combustible places ;

52. For preventing or regulating the carrying on of manu- Dangerous
factories or trades dangerous in causing or promoting fire ; factories.
53. For preventing, and for removing, or regulating the con- Stoves, chim-
struction of any chimney, flue, fire place, stove, oven, boiler or nies, &c.
5 other apparatus or thing which may be dangerous in causing
or promoting fire ;
54. For regulating the construction of chimnies as to dimen- Size and
sions and otherwise ; and for enforcing the proper cleaning of cleaning
the same, by licensed or other chimney sweepers ; chimnies, &c.
- 10 55. For regulating the mode of removal and safe keeping of Ashes.
ashes ;
56. For regulating and enforcing the erection of party walls ; Party walls.
57. For compelling the owners and occupants of houses to Ladders to
have scuttles in the roofs thereof, and stairs or ladders leading houses.
15 to the same ;
58. For causing buildings and yards, to be put in other res- Buildings and
pects into a safe condition to guard against fire or other danger- yards, condi-
ous risk or accident ; tion of.
59. For requiring the inhabitants to provide so many fire Fire buckets.
20 buckets in such manner and time as may be prescribed ; and
for regulating the examination of them ; and the use of them at
fires ;
60. For authorizing appointed officers to enter at all rea- Inspection of
sonable times upon any property subject to the regulations of premises.
25 the Council in order to ascertain whether such regulations
are obeyed, or to enforce or carry into effect the same ;
61. For making regulations for suppressing fires, and for Suppression
pulling down or demolishing adjacent houses or other erections, of fires.
when necessary to prevent the spreading of fire.
- 30 62. For regulating the conduct, and enforcing the assistance, Enforcing
of the inhabitants present at fires ; and for the preservation of assistance at
property at fires. fires.

11.—PROVISIONS APPLICABLE TO CITIES AND TOWNS.

275. The following sections numbered 276 & 277 and sub-
sections apply to the following Municipalities and Municipal
35 Councils :

1. Cities.

|

2. Towns.

1.—CORONERS.

276. One or more Coroners shall be appointed for every incorporated City and Town.

2.—INTELLIGENCE OFFICES.

277. The Council of every City and Town may respectively pass By-laws ;

Licensing
Intelligence
offices.

1. For Licensing suitable persons to keep Intelligence Offices for Registering the names and residences and giving information to, or procuring servants for, emp'oyers in want of domestics or labourers, and for registering the names and residences of and giving information to, or procuring employment for, domestic servants and other labourers desiring employment, and for fixing the fees to be received by the keepers of such offices. 5

Regulation of.

2. For the regulation of such Intelligence Offices ;

Duration of
license.

3. For limiting the duration of or revoking any such license ;

Prohibition of.

4. For prohibiting the opening or keeping any such Intelligence Office within the Municipality without License or for revoking such License ; 15

Fees for.

5. For fixing the fee to be paid for such License, not exceeding five shillings for one year.

3.—WOODEN BUILDINGS.

Wooden build-
ings.

6. For regulating the erection of buildings and preventing the erection of wooden buildings and wooden fences in populous parts of the City or Town ; 20

4.—POLICE.

A police. (*See
proposed
rider.*)

7. For establishing, regulating and maintaining a police ; but subject to the other provisions of this Act on that head.

5.—INDUSTRIAL FARM.

Industrial
farm.

8. For acquiring landed property within or beyond the limits of the City or Town for an industrial farm and for the disposal thereof, when no longer required for such purpose ; 25

Buildings
thereon.

9. For the erection thereon, of buildings and fences for the purposes of such farm, as the Council deems necessary ;

Managing
the same.

10. For the management of such farm and buildings ; 30

6.—ALMSHOUSES.

11. For establishing and regulating within the City or Town Almshouses. or on the Industrial farm, one or more Almshouses or houses of refuge for the relief of the destitute ;

7.—DRAINAGE RENT.

12. For fixing a yearly rent upon the drainage of any house, Drainage cellar, yard, or land, into any common sewer, and charging rent. the property so drained with the payment thereof, so long as the property is drained into the sewer.

12.—PROVISIONS APPLICABLE TO POLICE VILLAGES ONLY.

278. The following sections numbered from 279 to 285 and subsections apply to Police Villages only :

1.—INSPECTING TRUSTEE.

10 **279.** The Trustees of every Police Village or any two of such Trustees shall, by a writing under their hands to be filed with the Clerk of the Township or one of the Townships in which the Village is situate, appoint one of their number to be Inspecting Trustee. Appointment of Inspecting Trustee.

15 **280.** In case of any vacancy in the office of a Police Trustee by death or otherwise, the remaining Trustee or Trustees shall by writing, to be filed with such Clerk as aforesaid, appoint a Trustee or Trustees to supply the vacancy. Vacancies.

2.—NEGLECT OF DUTY BY TRUSTEES.

281. Any Police Trustee who wilfully neglects or omits to prosecute an offender at the request of any resident householder of the village offering to adduce proof of an offence against the regulations of Police herein established, or who wilfully neglects or omits to fulfil any other duty imposed on him by this Act, shall incur a penalty of twenty shillings. Penalty for breach of duty.

25 **282.** The penalties prescribed by the preceding section, or by that for the establishment of regulations of Police, shall be sued for within ten days after the offence was committed or had ceased, and not subsequently. Limitations of prosecutions for.

3.—TRUSTEES TO SUE FOR PENALTIES.

283. The inspecting Trustee or, in his absence or when he is the party complained of, one of the other Trustees shall sue for all penalties incurred under the Regulations of Police herein established, before a Justice of the Peace having jurisdiction in the village and residing therein or within five Who to sue for penalties.

miles thereof; or if there be none such then, before any Justice of the Peace having jurisdiction in the village; and the Justice shall hear and determine such complaint in a summary manner, and may convict the offender, upon the oath or affirmation of a credible witness; and shall cause the penalty 5 to be levied by distress and sale of the goods of the offender; and to be paid over to the path-master or path-masters of the division or divisions to which the village belongs, or to such of the said path-masters as the Trustees may direct, and such path-master or path-masters shall apply the penalty to the re- 10 pair and improvement of the streets and lanes of the village, under the direction of the Trustees.

4.—PUBLIC HEALTH.

Trustees to be Health officers. **284.** The Trustees of every Police Village, shall be Health Officers within the Police Village, under the Act of the Parliament of Upper Canada, passed in the fifth year of the 15 reign of His late Majesty, King William the Fourth, intituled, *An Act to promote the Public Health and to guard against infectious diseases in this Province*, and under any other Act that 5 W. 4, c. 10. may be passed for the like purpose.

POLICE REGULATIONS.

Regulations. **285.** The Trustees of every Police village shall execute 20 and enforce therein the regulations following:

1.—FIRE.

Fires, Ladders, &c. 1. Every proprietor of a house more than one story high shall place and keep a ladder on the roof of such house near to or against the principal chimney thereof, and another ladder reaching from the ground to the roof of such house, under a penalty of 25 five shillings for every omission; and a further penalty of ten shillings for every week such omission continues;

Fire buckets. 2. Every householder shall provide himself with two buckets. fit for carrying water in case of accident by fire; under a penalty of five shillings for each bucket deficient; 30

Furnaces, &c. 3. No person shall build any oven or furnace unless it adjoins and is properly connected with a chimney of stone or brick at least three feet higher than the house or building in which the oven or furnace is built, and three feet higher than any building within one chain of the oven or furnace; under a 35 penalty not exceeding ten shillings for non-compliance;

Stove pipes, &c. 4. No person shall pass a stove-pipe through a wooden or lathed partition or floor, unless there is a space of six inches between the pipe and the wood work nearest thereto; and the pipe of every stove shall be inserted into a chimney; and there 40 shall be at least ten inches in the clear between any stove and

any lathed partition or wood work under a penalty, of ten shillings ;

5 5. No person shall enter a mill, barn, outhouse or stable, with a lighted candle or lamp unless well enclosed in a lantern, nor with a lighted pipe or cigar, or with fire not properly secured, under a penalty of five shillings ;

Lights in stables, &c.

6. No person shall light or have a fire in a wooden house or outhouse unless such fire is in a brick or stone chimney or in a stove of iron or other metal, under a penalty of five shillings ;

Chimnies.

10 7. No person shall carry fire or cause fire to be carried into or through any Street, Lane, Yard, Garden or other Place, with out having such fire confined in some copper, iron or tin vessel, under a penalty of two shillings and six pence for the first offence, and of five shillings for every subsequent offence ;

Securing fire carried through streets, &c.

15 8. No person shall light a fire in a street, lane or public place, under a penalty of five shillings ;

Fires in streets.

9. No person shall place Hay, Straw or Fodder, or cause the same to be placed, in a dwelling house, under a penalty of five shillings for the first offence, and of ten shillings for every week the Hay, Straw or Fodder is suffered to remain there ;

Hay, straw, &c.

10. No person except a manufacturer of pot or pearl ashes, shall keep or deposit ashes or cinders, in any wooden vessel, box or thing not lined or doubled with sheet iron, tin or copper so as to prevent danger of fire from such ashes or cinders, under a penalty of five shillings ;

Ashes, &c.

11. No person shall place or deposit any quick or unslaked lime in contact with any wood of a house, outhouse or other building, under a penalty of five shillings, and a further penalty of ten shillings a day until the lime has been removed, or secured to the satisfaction of the inspecting trustee, so as to prevent any danger of fire ;

Lime.

12. No person shall erect a furnace for making charcoal of wood, under a penalty of twenty shillings ;

Charcoal furnaces.

2.--GUNPOWDER.

13. No person shall keep or have Gunpowder for sale except in boxes of copper, tin or lead, under a penalty of twenty shillings for the first offence, and forty shillings for every subsequent offence ;

Gunpowder.

14. No person shall sell Gunpowder, or permit Gunpowder to be sold, in his house, storehouse or shop, outhouse or other building, at night, under a penalty of forty shillings for the first offence, and of sixty shillings for every subsequent offence ;

Gunpowder.

3.—NUISANCES.

Certain nuisances prohibited.

15. No person shall throw or cause to be thrown any filth, rubbish or ordure into a street, lane or public place, under a penalty of two shillings and six pence, and a further penalty of five shillings for every week he neglects to remove the same after being notified to do so by the Inspecting Trustee, or some other person authorized by him. 5

13.—SPECIAL PROVISIONS.

1.—SHOP AND TAVERN LICENSE BOARD.

Shop and Tavern License Board constituted.

286. The power to grant Tavern Licenses (that is licenses for the retail of spirituous, fermented or other manufactured liquors to be drunk in the Inn, Ale-house, Beer-house or other house or place of public entertainment in which the same is sold ;) and to grant Shop Licenses (that is licenses for the retail of such liquors in Shops, Stores or places other than Inns, Ale-houses, Beer-houses or places of public entertainment) shall be vested exclusively in the Board hereby constituted for that purpose ; such Board shall in each County, excluding any City therein, consist of the Warden, the Judge of the County Court, and the Sheriff of the County, and shall, in every City, consist of the Mayor, the Recorder and the Police Magistrate ; if there is no Recorder the Judge of the County Court shall be a member of the Board, and if there is no Police Magistrate, or if the offices of Recorder and Police Magistrate are held by the same person, the Council shall appoint a person resident in the City to be a member of the Board. 10 15 20

Empowered to grant Licenses under certain restrictions.

287. The Board shall have no power to grant a license contrary to any By-law of the Municipality in which is situate the house for which application is made, but may grant fewer than the number the By-laws of the Municipality authorize, and may require additional qualifications in applicants for licenses, and may exercise their discretion as to the persons to whom the licenses shall, with the view to the advantage to the public, be given. 25 30

Inspectors to visit, &c.

288. It shall be the duty of the Inspectors of Shop and Tavern Licenses—

To visit.

1. To make such visits and examinations as may be necessary for procuring the requisite information to enable the Board to execute its duties, or as may be directed by the Board, and

To report.

2. To make a report or reports of such information to the Board, and

To enforce regulations.

3. To see that the said By-laws of the Council are complied with, and to perform such other duties as the regulations or di-

rections of the Board or the By-laws of the Council may from time to time direct with reference to the matters within their jurisdiction respectively.

289. The Board shall meet on some day in each year 5 before the first day of March and may adjourn, their meetings from time to time. The meeting shall be at such place as the Council of the County or City by By-law directs ; or if no By-law names the place, then in such place as the Board determines. A majority shall form a quorum, and the acts of a 10 majority shall be considered the acts of the Board.

Time for meeting of Board.
Majority to decide.

290. The Board shall give a certificate to each person to whom a License is to be given stating that fact, and the sum which under the By-laws of the Municipality is to be paid therefor; and on production of the receipt of the Treasurer or 15 Chamberlain for the amount to be paid, the Board shall issue the License which shall be in force until the last day of February in the following year inclusive if not otherwise limited.

License granted on payment of fees.

291. The members of such Board shall within the first week of every month, transmit to the Inspector or Inspectors having 20 supervision in such Municipality, a certified list of all Tavern Shop and other Licenses for which Licenses have been issued for the Municipality or place in which such Inspector or Inspectors has or have supervision, and shall at the same time transmit a duplicate of all such lists to the Treasurer of the County 25 or Chamberlain of the City, *as the case may be*, and such Treasurer and Chamberlain shall forthwith publish such list in at least two newspapers of the Municipality.

Boards to make returns of licenses to Inspectors.

292. But no Tavern or Shop license shall be necessary for selling any such liquors in the original packages in which 30 the same are received from the importer or manufacturer ; Provided such packages contain respectively not less than five gallons, or one dozen bottles.

No license required to sell in the original packages.

293. Any person having a Tavern license may without any additional license sell liquors by retail to be consumed 35 out of his house, in the same quantities as if to be consumed in the house.

Tavern keepers may sell to be consumed out of the house.

294. Any Inspector of Licenses may, in his discretion (but subject to any By-law of the Municipality,) endorse on any license permission to the person holding such license, to sell the 40 liquors mentioned in his License at any place out of his house, or to remove from the house licensed to another house to be described in such indorsement and situate within the same Municipality, and such permission shall authorize the holder thereof to sell such Liquors in the House mentioned in the endorse- 45 ment during the unexpired portion of the term for which such License was granted, and upon the same terms and

Inspectors may endorse licenses to authorize sale of liquors elsewhere than in the house.

conditions; And any Bond or security which such holder may have given for any purpose relative to such license, shall apply to the house or place to which such removal is authorized.

Tavern keepers to exhibit notice of being licensed.

295. Every person who keeps a Tavern or other house or place of public entertainment, and has a Tavern License, shall exhibit over the door of such Tavern, House or place, in large letters, the words "Licensed to sell Wine, Beer and other Spirituous or Fermented Liquors," under a penalty in default of so doing of *five shillings*, recoverable with costs before any Justice of the Peace upon the oath of one credible witness; one half of which penalty shall go to the Informer and the other half to the Municipality. 5

Shop licenses not to authorize sale of liquors to be consumed in the house.

296. No licensed Shop-keeper, or other person having a Shop License shall allow any Liquors sold by him and for the sale of which a license is required, to be consumed within his Shop, or within the building of which such Shop is a part, either by the purchaser thereof or by any other person not usually resident within such building. 15

Penalties recoverable before two justices of the Peace.

297. All prosecutions for penalties incurred by persons vending Wine, Rum, Brandy or other Spirituous Liquors, Beer, Ale, Cider or other fermented or manufactured Liquors without License, shall be recoverable with costs before any two or more Justices of the Peace having jurisdiction in the Municipality in which the offence is committed upon the oath of one credible witness, one half of which penalty shall go to the informer and the other half to the Municipality. 20 25

2.—ROADS, BRIDGES, DRAINS, WATERCOURSES.

1.—WHAT CONSTITUTE HIGHWAYS.

What shall constitute highways.

298. All allowances for roads made by the Crown Surveyors in any Town, Township or place already laid out, or hereafter laid out in any Town, Township or place within Upper Canada; and also all roads laid out by virtue of any Act of the Parliament of Upper Canada, or any roads whereon the public money hath been expended for opening the same, or whereon the Statute Labour hath been usually performed, or any roads passing through the Indian Lands, shall be deemed common and public highways, unless any such roads have been already altered, or until such road or roads are altered according to Law. 30 35

2.—HIGHWAYS VESTED IN THE CROWN.

Vested in the Crown.

299. Unless otherwise provided for, the soil and freehold of every highway or road altered, amended or laid out, according to Law, shall be vested in Her Majesty, Her Heirs and Successors. 40

3.—JURISDICTION OF MUNICIPALITIES.

300. Subject to the exceptions and provisions hereinafter contained every Municipal Council shall have jurisdiction over the original allowances for Roads, Highways and Bridges within the Limits of the Municipality.

Jurisdiction
Municipal
Council.

3.—JURISDICTION RESTRICTED.

1.—PROVINCIAL ROADS UNDER BOARD OF WORKS.

5 301. No Council shall interfere with any Public Road or Bridge vested as a Provincial Work in Her Majesty or in any Public Department or Board, and the Governor shall by order in Council have the same powers as to such Road and Bridge as are by this Act conferred on Municipal Corporations with respect to
10 other Roads and Bridges ; But the Governor may by Proclamation declare any Public Road or Bridge under the control of the Commissioners of Public Works, to be no longer under such control, and after a day named in the Proclamation such Road or Bridge shall cease to be under the control of the Commis-
15 sioners, and no tolls shall thereafter be levied thereon by them, and such Road or Bridge shall thenceforth be controlled and kept in repair by the Council of the Municipality, excepting the Bridge over the river Don on the Kingston Road at the east end of the City of Toronto, and the Kings Road east of such
20 River, which shall remain under the control of the said Commissioners.

Roads under
Board of
Works.

2.—ROADS ON ORDNANCE LANDS.

302. No Council shall pass any By-law (1) for stopping up or altering the direction or alignment of any street, lane or thoroughfare made or laid out by Her Majesty's Ordnance, or
25 the Principal Secretary of State in whom the Ordnance Estates are vested under the Statute of this Province, passed in the nineteenth year of Her Majesty's Reign chapter forty-five, (2) or for opening any such communication through land held by such Secretary of State for Her Majesty's Ordnance, or (3) interfering
30 with any bridge, wharf, dock, quay or other work constructed by Her Majesty's Ordnance, or such Secretary of State or (4) interfering with any land reserved for Military purposes or with the integrity of the public defences, without a written consent signed by the Principal Officer of Her Majesty's Ordnance acting in Canada under the authority of such Secretary
35 of State certified under the hand of the Commander of the Forces in Canada to be such Principal Officer and to be acting under such authority, and a By-law for any of the purposes aforesaid shall be void unless it recites such consent, authority
40 and certificate ;

Nor with
Ordnance
roads, lands,
&c.

Unless sanc-
tioned by the
Chief En-
gineer officer,
&c.

3.—WHAT ROADS NOT TO BE CLOSED.

Not to close roads required by individuals.

303. No Council shall close up any public road or highway, whether an original allowance, or a road opened by the Quarter Sessions, or any Municipal Council or otherwise legally established, whereby any person will be excluded from ingress and egress to and from his lands or place of residence over such road, but all such roads shall remain open for the use of the person who requires the same. 5

4.—NOT TO ENCROACH UPON HOUSES, &c.

Nor to encroach upon houses, &c.

304. No such Council shall authorize an encroachment on any dwelling house, barn, stable, out-house, orchard, garden, yard or pleasure ground, without the written consent of the 10 owner;

5.—WIDTH OF ROADS.

Width of roads.

305. No such Council shall lay out any road or lane more than ninety nor less than thirty feet in width; but any road, when altered may be of the same width as formerly.

4.—JOINT JURISDICTION OVER ROADS.

1.—COUNTIES.

Joint jurisdiction over certain roads.

Counties.

306. The Council of each County shall have Joint jurisdiction over all roads and bridges lying wholly or partly between such County and any Incorporated Village, Town, City or other County, and no By-law of the Council of any one of such Municipalities, with respect to any such last mentioned road, or bridge shall have any force until a By-law 15 has been passed in similar terms as nearly as may be by the other of such Councils, having joint jurisdiction in the premises. 20

2.—CITIES.

Cities.

307. The Council of each City shall have joint jurisdiction over all roads and bridges lying wholly or partly 25 between such City and any Incorporated Village, Town or County, and no By-law of the Council of any one of such Municipalities with respect to any such road or bridge, shall have any force until a By-law has been passed in similar terms as nearly as may be by the other of such Councils, having joint 30 jurisdiction in the premises.

3.—TOWNS.

Towns.

308. The Council of each Town shall have joint jurisdiction over all roads and bridges lying wholly or partly

between such Town and any Incorporated Village or City, or between such Town and the County in which the Town is situate, and no By-law of the Council of any one of such Municipalities with respect to such road or bridge shall have any force until a By-law has been passed in similar terms as nearly as may be by the other of such Councils having joint jurisdiction in the premises.

4.—INCORPORATED VILLAGES.

309. The Council of each incorporated Village shall have joint jurisdiction over all roads and bridges lying wholly or partly between such Village and any Town or City or between any such Village and the County in which such Village is situate, and no By-law of the Council of any one of such Municipalities with respect to any such road or bridge, shall have any force until a By-law has been passed in similar terms, as nearly as may be, by the other of such Councils having joint jurisdiction in the premises.

Incorporated Villages.

5.—EXCLUSIVE JURISDICTION OVER ROADS.

1.—COUNTIES.

1.—WHAT ROADS.

310. The County Council shall have exclusive jurisdiction over all Roads and Bridges lying within any Township of such County and which such Council by By-law assumes as a County Road or Bridge, until such By-law is repealed by such Council, and over all Bridges across streams separating two Townships in the County; and over every Road or Bridge dividing different Townships, although such Road may so deviate as in some places to lie wholly or in part, within one Township.

Exclusive jurisdiction over certain roads.

Counties.

2.—ROADS ASSUMED TO BE MACADAMIZED.

311. When any County Council assumes by By-law any Road or Bridge within a Township as a County Road or Bridge, the Council shall, with as little delay as reasonably may be, and at the expense of the County, cause such Road to be planked, gravelled or Macadamized, or such Bridge to be built in a good and substantial manner.

Roads assumed to be macadamised, &c.

3.—CERTAIN POWERS OF JUSTICES IN SESSIONS TRANSFERRED.

312. All powers, duties and liabilities which at any time before the first day of January 1850, belonged to the Magistrates in Quarter Sessions, with respect to any particular Road or Bridge in a County, and not conferred or imposed upon any other Municipal Corporation, shall belong to the Council of the County, or, in case the Road or Bridge lies in two or more Counties, to the Councils of such Counties, and the neglect or

Certain powers of Justices in Sessions transferred.

disobedience of any regulations or directions made by such Council or Councils, shall subject the offenders to the same penalties and other consequences as the neglect or disobedience of the like regulations or directions of the Magistrates would have subjected them to.

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4.—STOPPING UP OR SALE OF ORIGINAL ALLOWANCES.

313. The Council of every County shall have power to pass By-laws for the following purposes.

For sale of original allowances for roads in certain cases.

1. For stopping up, or stopping up and sale, of any original allowance for road or parts thereof within the County, which is subject to the sole jurisdiction and control of such Council, and not being within the limits of any Village, Town or City within or adjoining such County ;

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Preventing furious driving.

2. For preventing immoderate riding or driving of horses or other cattle on the highways, whether Township or County highways ;

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Roads within or between several municipalities.

3. For opening, making, preserving, improving, repairing, widening, altering, diverting, stopping up and pulling down, drains, sewers, water courses, roads, streets, squares, alleys, lanes, bridges or other public communications, running or being within one or more Townships, or between two or more Townships of such County, or between such County, and any adjoining County or City, or on the bounds of any Town or incorporated Village within the boundaries of such County, as the interests of the inhabitants of such County in the opinion of the Council require to be so opened, made, preserved and improved, and for entering upon, breaking up, taking or using any land in any way necessary or convenient for the said purposes, subject to the restrictions hereinafter contained.

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5.—LOCAL RATES FOR SPECIAL PURPOSES.

Local rates for special improvements.

4. For levying by Assessment on all the rateable property within any particular parts of two Townships to be described by metes and bounds in the By-law, in addition to all other Rates, a sum sufficient to defray the expense of making, repairing or improving any Road, Bridge, or other public work, lying between such parts of such two Townships, and by which the inhabitants of such parts will be more especially benefited ;

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Proceedings to obtain a By-law for.

5. But no such By-law shall be passed except 1. Upon a petition signed by at least two-thirds of the resident rate-payers representing at least one half in value appearing by the last revised Assessment Roll of the rateable property within those parts of such two Townships which are to be affected by the By-law, 2. Nor unless a printed notice of such petition, with the names of the signers thereto, describing the limits within which such

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By-law is to have force, has been given for at least one month, by putting up the same in four different places within such bounds and at the places for holding the sittings of the Council of each Township whether it be within such bounds or not, and also by inserting the same weekly for at least four weeks in some newspaper if any there be published in the County, or if there is no such newspaper, then in a newspaper published in some adjoining County ;

6.--AIDING TOWNSHIPS, &C., IN MAKING ROADS AND BRIDGES.

6. For granting to any Town, Township, or Incorporated Village in the County aid, by loan or otherwise, towards opening or making any new Road or Bridge in such Town, Township, or Village, in cases where the Council deems the County at large sufficiently interested in the work to justify such assistance, but not sufficiently interested to justify the Council in at once assuming the same as a County work ; See Post Section 329.

For aiding in making roads and bridges.

2.—TOWNSHIPS.

1.—AIDING COUNTIES IN MAKING ROADS.

314. The Council of every Township may pass By-laws.

1. For granting to any adjoining County, aid in making, opening, maintaining, widening raising lowering or otherwise improving any highway, road, street, bridge or communication lying between the Township and any other Municipality, and for granting like aid to the County in which the Township lies in respect of any highway, road, street, bridge or communication within the Township assumed by the County as a County work, or agreed to be so assumed on condition of such grant ; See Post Section 329.

Aiding County in making Roads.

2.—ORIGINAL ROAD ALLOWANCES.

2. For the stopping up and sale of any original allowance for road or any part thereof within the Municipality, and for fixing and declaring therein the terms upon which the same is to be sold and conveyed ; but no such by-law shall have any force until confirmed by a by-law of the Council of the County in which such Township is situated at an Ordinary Session of such County Council, held not sooner than three months, nor later than one year next after the passing thereof ;

Stopping up and sale of original road allowance.

3.—TREES OBSTRUCTING HIGHWAYS.

3. For directing that, on each side of a highway passing through a wood, the trees, (unless they form part of an orchard or a shrubbery, or have been planted expressly for ornament or shelter,) shall, for a space not exceeding twenty-five feet on each

May direct the trees to be cleared on each side of highways.

May grant aid to Counties in making roads, &c.

side of the highway, be cut down and removed by the Proprietor within a time appointed by the By-law, or, on his default, by the Overseer of Highways or other Officer in whose division the land lies; and, in the latter case, for authorizing the trees to be used by the Overseer or other Officer for any purpose connected with the improvement of the highways and bridges in his division, or to be sold by him to defray the expenses of carrying the By-law into effect;

4.—WHEN ROADS IN POLICE VILLAGES, &c., MAY BE SOLD BY TOWNSHIP COUNCILS.

When roads in Police Villages may be sold by Township Councils.

315. In case the Trustees of any Police village, or fifteen of the inhabitant householders of any other unincorporated village or hamlet consisting of not less than twenty dwelling houses standing within an area of two hundred acres, petition the Council of the Township in which such Village or hamlet is situate, and in case the petition of such Incorporated Village or hamlet not being a Police Village, is accompanied by a certificate from the Registrar of the County within which such Township lies that a plan of such Village or Hamlet has been duly deposited in his office according to the Registry laws, such Council may pass a By-law to stop up sell and convey, or otherwise deal with any original allowance for road lying within the limits of such Village or hamlet, as the same shall be laid down on such plan, but subject to the sale of such original allowance, to the provisions contained in the three hundred and ninth; three hundred and thirteenth and three hundred and fourteenth Sections of this Act.

When Village is partly in each of two townships.

316. The last section shall apply to a Village or Hamlet situate in two Townships whether such Townships are in the same or different Counties, and in such case the municipality of each of such Townships shall have the powers hereby conferred, as to any original allowance for road lying within that part of such Village or Hamlet which according to the Registered plan is situate within the respective limits of such Townships.

6.—POWERS RESPECTING ROADS, &c., THAT MAY BE EXERCISED BY THE COUNCILS OF EVERY

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|--------------|--|--------------------------|----|
| 1. Township. | | 4. Town and | 35 |
| 2. County. | | 5. Incorporated Village. | |
| 3. City. | | | |

1.—ROADS, BRIDGES AND WORKS.

317. The Councils of every Township, County, City, Town and Incorporated Village, may make By-laws for the following purposes;

1. For opening, making, preserving, improving, repairing, widening, altering diverting, stopping up and pulling down, drains, sewers, water courses, roads, streets, squares, alleys, lanes, bridges or other public communications, within the jurisdiction of the Council, and for entering upon, breaking up, taking or using any land in any way necessary or convenient for the said purposes, subject to the restrictions in this Act contained ;

To open roads, &c.

2. For preserving or selling timber-trees, and for preserving stone, sand, or gravel, on any allowance or appropriation for a public road ;

For preservation of Trees, Stone, Gravel, &c.

3. For selling to the parties next adjoining the lands of whom the same is situated the original road allowance when a public road has been opened, or when a new road has been opened in lieu of the original road allowance and for the site or line of which compensation has been paid, or of any road legally stopped up or altered by the Council ; and in case such parties respectively refuse to become the purchasers at such price as the Council thinks reasonable, then for the sale thereof to any other person for the same or a greater price.

When the Council may stop up or sell a road allowance.

318. In case any one in possession of any Concession road or side line has laid out and opened any road or street in place thereof without receiving compensation therefor, or in case a new or travelled public road has been laid out and opened in lieu of an original allowance for road, and for which no compensation has been paid to the owner of the land appropriated as a public road in place of such original allowance, the owner shall be entitled to the concession road, side line, or original allowance, (as the case may be,) in lieu of the road so laid out, and the Council of the Municipality upon the report in writing, of its Surveyor, or of a Deputy Provincial Land Surveyor, that such new or travelled road is sufficient for the purposes of a public highway, may convey the said original allowance for road in fee simple to the person or persons upon whose land or lands such new road runs, and when any such original road allowance is, in the opinion of the Council, useless to the public, and lies between lands owned by different parties, the Municipal Council may, subject to the conditions aforesaid, sell and convey a part thereof to each of such parties as may seem just and reasonable ;

When a road is substituted for an original allowance.

2.—POSSESSION OF ROAD ALLOWANCES.

319. In case a person is in possession of any part of a Government allowance for road laid out in rear of his lot and enclosed by a lawful fence, and which has not been opened for public use by reason of another road being used in lieu thereof, or is in possession of any Government allowance for road parallel or near to which a road has been established by law in

Original allowances for roads when to be deemed legally possessed till a by-law is

passed for opening.

lieu thereof, such person shall be deemed legally possessed thereof as against any private person, until a by-law has been passed for opening such allowance for road by the Council having jurisdiction over the same.

3.—NOTICE OF BY-LAWS FOR OPENING SUCH ALLOWANCES.

Nor pass by-law for opening, &c. roads, &c. without notice.

320. But no such By-law shall be passed until notice in writing 5 has been given to the person in possession, at least eight days before the meeting of the Council, that an application will be made for opening such allowance.

4.—NOTICE TO BE GIVEN OF BY-LAWS INTENDED TO AFFECT PUBLIC ROADS.

What notice to be given of By-laws intended to affect public roads.

321. No such Council shall pass a By-law, for establishing, 10 opening, stopping up, altering, widening, diverting or selling any original allowance for road or other public highway, road, street or lane.

1. Until the Council has caused written or printed notices of the intended By-law to be posted up one calendar Month pre- 15 viously in six of the most public places in the immediate neighbourhood of such original allowance for road or other highway, road, street or lane ;

2. And to be published in at least one local newspaper for three successive weeks ; 20

3. Nor until the Council has heard, in person or by Counsel or Attorney, any one whose land might be prejudicially affected thereby, and who petitions to be so heard ;

4. And the Clerk shall give such notice, at the request of the 25 applicant, upon payment of the reasonable expences attendant thereon.

5.—IN DISPUTES RESPECTING ROADS—WHO MAY SWEAR WITNESSES, &c.

Power to administer oath in disputes respecting boundaries.

322. In case of disputes in any Municipality concerning roads, allowances for roads, side lines, boundaries or concessions, within the cognizance of and in the course of investi- 30 gation before a Municipal Council, the Head of the Council may administer an oath or affirmation to any party or witness examined upon the matters in dispute.

6.—COMPENSATION FOR LANDS TAKEN.

Owners of lands taken to be compensated.

323. Every such Council shall make to the owners of real prop- 35 erty entered upon, taken or used by the Corporation in the exercise of its powers in respect to roads, streets and other public com-

munications, or to drains and common sewers, due compensation for any damages necessarily resulting from the exercise of such powers, beyond any advantage which the claimant may derive from the contemplated work; and any claim for such compensation, if not mutually agreed upon, shall be determined by arbitration under this Act.

7.—TITLES TO LAND OF INFANTS, &c., HOW ACQUIRED.

324. In the case of real property which a Council has authority under this Act, to enter upon, take or use without the owner's consent, Corporations, Tenants in tail or for life, Guardians, Committees and Trustees, shall on behalf of themselves, their Successors and Heirs respectively, and on behalf of those they represent whether infants, issue unborn, lunatic, idiots, married women or others, have power to act, as well in reference to any arbitration, notice and action under this Act, as in contracting for and conveying to the Council any such real property, or in agreeing as to the amount of damages arising from the exercise by the Council of any power in respect thereof. In case there is no such person who can so act in respect to such real property, the Judge of the County Court for the County in which such property is situate, may, on the application of the Council, appoint a person to act in respect to the same for all or any of the said purposes.

Title to Lands taken.

325. In case any party acting as aforesaid has not the absolute estate in the property, the Council shall pay to him the interest only at six per centum per annum on the amount to be paid in respect of such property and shall retain the principal to be paid to the party entitled to it whenever he claims the same, and executes a valid acquittance therefor, unless the Court of Chancery, or other Court having equitable jurisdiction in such cases, do in the mean time direct the Council to pay the same to any person or into Court; and the Council shall not be bound to see to the application of any interest so paid or of any sum paid under the direction of such Court.

Where life interests only.

Sum awarded how to be applied.

326. All sums agreed upon or awarded in respect of such real property, shall be subject to the limitations and charges to which the property was subject.

8.—ROAD AND BRIDGE COMPANIES.

327. The Council of every Municipality aforesaid may also pass By-laws.

1.—PERMITTING SUCH ROADS TO PASS, &c.

1. For regulating the manner of granting to Road or Bridge Companies permission to commence or proceed with Roads

For granting privileges to

Road or
Bridge Com-
panies.

or Bridges, within its jurisdiction and for regulating the manner of ascertaining and declaring the completion of the work so as to entitle such companies to levy tolls thereon, and for regulating the manner of making the examinations necessary for the proper exercise of these powers by the Council ;

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2.---TAKING STOCK IN.

For taking
stock in, or
making loans
to such Com-
panies.

2. For taking stock in, or lending money to, any such incorporated Road or Bridge Company, under and subject to the respective Statutes in that behalf ;

3.---TOLLS ON, MAY BE GRANTED.

For granting
right to take
tolls, when.

3. For granting to any person, in consideration or part consideration of planking, gravelling or macadamizing a road, or of building a bridge, the tolls fixed by By-law to be levied on the work for a period of not more than twenty-one years after the work has been completed and after such completion has been declared by a By-law of the Council authorizing tolls to be collected. And the grantee of such tolls shall, during the period of his right thereto, maintain the road or Bridge in repair ;

To exact tolls,
when.

4.---TOLLS ON, MAY BE RAISED.

328. Every such Council may also pass By-laws :

To raise mo-
ney by toll.

1. For raising money by toll, on any bridge, road or other work, to defray the expense of making or repairing the same ;

5.---FAST DRIVING ON BRIDGES.

To regulate
driving on
bridges.

2. For Regulating the Driving and Riding on public Bridges. 20

PITS AND PRECIPICES.

To make regu-
lations.

3. For making regulations as to pits, precipices and deep waters and other places dangerous to travellers.

9. POWERS THAT MAY BE EXERCISED BY THE COUNCILS OF EVERY TOWNSHIP, CITY, TOWN AND INCORPORATED VILLAGE.

I.---AIDING COUNTIES IN MAKING ROADS AND BRIDGES.

329. The Municipal Council of every Township, City, Town and Incorporated Village may pass By-laws ;

Aiding coun-
ties in making
roads and
bridges.

1. For granting to the County or United Counties in which such Municipality lies aid, by loan or otherwise, towards opening or making any new road or bridge on the bounds of such Municipality ;

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2. For entering into and performing any arrangement with any other Council in the same County or United Counties for executing, at their joint expence and for their joint benefit, any work within the jurisdiction of the Council ; See Ante-sect. 313, 5 No. 6, and 314 No. 1. Joint works with other Municipalities.

2.—STATUTE LABOUR.

330. The Councils of every Township, County, City, Town and Incorporated Village may also pass By-laws ; By-laws respecting Statute Labour.

1. For empowering any person, (resident or non-resident) liable to statute labour within the Municipality, to compound For 5 years at 5s per diem ;
 10 for such labour for any term, not exceeding five years, at any sum, not exceeding five shillings, for each day's labour ; Application of labour or its equivalent.

2. For providing that a sum of money, not exceeding five shillings for each day's labour, may be paid in commutation of such statute labour ; Amount of commutation money.

15 3. For increasing or reducing the number of days labour, to which the persons rated on the assessment-roll or otherwise shall be liable, in proportion to the statute labour to which such persons are, in respect of the amounts at which they are assessed or otherwise, respectively liable ; Fixing number of days' labour.

20 4. For enforcing the performance of statute labour, or payment of a commutation in money in lieu thereof, when not otherwise provided by law ; Enforcing Statute Labour.

5. For regulating the manner and the divisions in which statute labour or commutation money shall be performed or ex- Regulating the application of Labour and commutation money.
 25 pended ;

But the power by this section conferred shall not extend to the statute labour or the commutation money payable instead thereof, of any person residing upon or whose lands are bounded by a line or road between two or more Municipalities, in the 30
 same County, or between such County and any adjoining County or Counties, or between one or more Townships, and any City, Town or Incorporated Village within the limits or boundaries of such first mentioned County.

331. The Council of every County may also pass By-laws ;

3.—COMPOUNDING FOR STATUTE LABOUR.

35 1. For empowering any landholder, residing upon lands bounded by any such squares, alleys, lanes, bridges, roads, streets or other public communications as are mentioned in the three hundred and tenth Section of this Act Number three, at any time before the labour ought to be performed, to com- Right to compound for Statute Labour.

pond for the statute labour to which he is liable, for any term not exceeding five years, at any rate not exceeding five shillings for each day's labour, to be levied and collected in the same manner as other local taxes for the use of the Municipality ;

2. For regulating the manner and the divisions in which 5 such statute labour or commutation shall be performed or expended ;

10.—STREETS IN CITIES, TOWNS AND INCORPORATED VILLAGES.

Streets in Cities, Towns and incorporated Villages how far vested in Municipalities.

332. All public roads, streets and highways, in Cities and Towns, shall be vested in the Municipality, subject to any rights in the soil which the individuals who laid out such roads, streets 10 or highways, reserved and except any concession road or side road within such Cities or Towns, taken and held possession of by an individual in lieu of a street laid out by him without compensation therefor ;

To be kept in repair by—

333. All such roads, streets and highways shall be kept in 15 repair by the corporation—and the default of the Corporation so to keep in repair, shall be a misdemeanor punishable by fine in the discretion of the Court, and such Corporation shall be further civilly responsible for all damages sustained by any person by reason of such default, but such action must be brought 20 within three months after the damages have been sustained.

LOCAL IMPROVEMENTS.

334. The Council of every City, Town and Incorporated Village may also pass By-laws for the following purposes ;

Local rates for pavements.

1. For assessing and collecting from the proprietors of real property, immediately benefitted by making or repairing any 20 Pavement in any public way or place near to such property, such sums as may be necessary for so making or repairing the same.

Watering and sweeping streets.

For raising upon the petition of at least two thirds of the freeholders and householders resident in any street, square, 30 alley or lane, representing in value one half of the rateable property therein, such sums as may be necessary for Sweeping, Watering, or Lighting such street, square, alley or lane, by means of a special rate on the rateable property therein ; but the Council may charge the general corporate funds with 35 the expenditure incurred in such Making or Repairing or in such Sweeping, Watering or Lighting as aforesaid.

For preventing obstructions in streets.

3. For regulating or preventing the encumbering, injuring or fouling, by animals, vehicles, vessels or other means, of any road, street, square, alley, lane, bridge or other communication.

4. For directing the removal of door steps, porches, railing or other erections, or obstructions projecting into or over any road, or other public communication, at the expense of the proprietor or occupant of the property connected with which such projections are found ;

Removal of door steps.

5. For surveying, settling and marking the boundary lines of all Streets, Roads and other public communications, and for giving names thereto and affixing such names at the corners thereof on either public or private property ;

For marking the boundaries of and naming streets.

11.—RAILWAYS.

10 **335.** The Council of every Township, County, City, Town and Incorporated Village may pass By-laws.

1.—TAKING STOCK IN OR AIDING RAILWAY COMPANIES.

1. For subscribing for any number of shares in the Capital Stock of or for lending to or guaranteeing the payment of any sum of money borrowed by an incorporated Railway Company to which the eighteenth Section of the Statute fourteenth and fifteenth Victoria, Chapter fifty-one,—(the Railway clauses consolidation Act) has been made applicable by any special Act ;

Council may make by-laws.

For taking stock in Railways or guaranteeing their debentures.

2. And for endorsing or guaranteeing the payment of any Debenture to be issued by such Company for the money by them borrowed and for assessing and levying from time to time upon the whole rateable property of the Municipality a sufficient sum to discharge the debt or engagement so contracted ;

For guaranteeing the payment of Debentures, &c.

3. And for issuing for the like purpose Debentures payable at such times and for such sums respectively not less than five pounds currency, and bearing or not bearing interest as such Municipal Council may think meet ;

For issuing Debentures.

4. And for directing the manner and form of signing or endorsing any Debenture so issued endorsed or guaranteed and of countersigning the same, and by what officer or person the same shall be so signed, endorsed or countersigned, respectively ; But no Municipal Corporation shall subscribe for stock or incur a debt or liability for the purposes aforesaid unless the By-law before the final passing thereof has received the assent of the Electors of the Municipality in manner provided by this Act ;

To be confirmed by Public vote

336. Any Debenture for any of the purposes in this section mentioned, signed or endorsed and countersigned as directed by the By-law, shall be valid and binding on the Corporation without the corporate Seal thereto or the observance of any other form with regard to such Debenture than such as may be directed in the By-law ;

Debentures when valid Such Debentures valid without the corporate seal

Head when to
be a Director.

337. In case any Municipal Council subscribes for and holds stock in such Company to the amount of five thousand pounds or upward, the Head of such Council shall be *ex officio* one of the Directors of the Company in addition to the number of Directors authorized by the Special Act, and shall have the same rights, powers and duties as the other Directors of the Company ;

The Council of every Township may pass By-laws.

2.—BRANCH RAILWAYS.

May authorise the making branch Railways.

338. For authorizing any Railway Company, in case such authority is necessary, to make any branch Railway on property of the Corporation, or on highways, under such conditions as the Council sees fit, and subject to the restrictions contained in the Railway Clauses Consolidation Act and any other Acts affecting such Railway ;

3.—ARBITRATIONS.

339. In all cases of arbitration directed by this Act, the proceedings shall be as follows :

Mode of appointing arbitrators and conducting arbitrations.

1. Each party shall appoint one arbitrator and give notice thereof in writing to the other party ; and when such other party is a Corporation, the notice shall be given to the Head of such Corporation ;

2. The two arbitrators appointed by or for the parties shall choose a third arbitrator ;

3. In case of an arbitration between Townships or between Counties, or between a County and a City, or, between a County and Town, if for one calendar month after having received such notice the party notified omits appointing an arbitrator ; and if for ten days after the second arbitrator has been appointed, the two arbitrators omit to appoint a third arbitrator ; then, in case such arbitration is between Townships, the Warden of the County within which the Townships are situate ; or in case the arbitration is between Counties, or, between a County and a City or a Town, the Governor in Council may appoint an arbitrator for the party or arbitrators in default ;

4. In case of an arbitration between a Municipal Corporation and owners of property to be entered upon, taken or used in the exercise of the powers of the Corporation in regard to roads, streets or other communications, or to drains and sewers, if, after the passing of the By-law, any person interested in such property appoints and gives due notice to the Council of his appointment of an arbitrator to determine the compensation to which such person is entitled, the Head of the Council shall, within three days, appoint a second arbitrator and give notice

thereof to the other party, and shall express clearly in the notice what powers the Council intend to exercise with respect to such property (describing it) ;

5 If within one month after service on the owner or owners of such property, of a copy of any such By-law certified to be a true copy under the hand of the Clerk of such Council, such owner or owners omit naming an arbitrator and giving notice thereof as aforesaid, such Council or the Head, if authorized by By-law, may name an arbitrator on behalf of the Council
10 and give notice thereof to the owner or owners of the property, and the latter shall, within seven days thereafter, name an arbitrator on his or their behalf ;

6. In either of the cases provided for by the two preceding clauses, the two arbitrators shall within three days appoint a
15 third arbitrator and their award shall be made within one month after such appointment ;

7. If any such owner or occupier neglects naming an arbitrator within seven days after receiving notice to do so, or if the two arbitrators do not within seven days from the appointment of the lastly named arbitrator, agree on a third arbitrator,
20 within seven days after his appointment, or if an arbitrator refuses or neglects to act, the Judge of the County Court, on the application of either party, shall nominate as an Arbitrator, a fit person resident without the limits of the Municipality in
25 which the property in question is situate, and such Arbitrator shall forthwith proceed to hear and determine the matters referred to him ;

8. The appointment of all Arbitrators shall be in writing under the hands of the appointors, or in case of a Corporation, under the Corporate Seal and authenticated in like manner as a
30 By-law ;

9. The Arbitrators on behalf of a Municipal Corporation or Provisional Corporation, shall be appointed by the Council thereof or by the Head thereof if authorized by a By-law of the
35 Council ;

10. In case there are several persons having distinct interests in property in respect of which the Corporation is desirous of exercising the powers referred to in the above fourth subsection under a By-law in that behalf passed whether such persons are all interested in the same piece of property or some or one in a
40 part thereof, and some or one in another part thereof, and in case the said By-law or any subsequent By-law provides that the claims of all should in the opinion of the Council be disposed of by one award, such persons shall have one calendar
45 month instead of seven days to agree upon and give notice of an arbitrator jointly appointed in their behalf before the

County Court Judge shall have power to name an arbitrator for them ;

11. In case the award relates to property to be entered upon, taken or used as mentioned in the said fourth subsection, and in case the By-law did not authorize or profess to authorize any entry or use to be made of the property before an award had been made except for the purpose of survey, or in case the By-law did give or profess to give such authority but the arbitrators find that binding on the Corporation unless it is adopted by By-law within such authority had not been acted upon, the award shall not be weeks after the making of the award ; and if the same is not so adopted the original By-law shall be deemed to be repealed, and the property shall stand as if no such By-law had been made, and the Corporation shall pay the costs of the arbitration ;

12. In the case of any award under this Act which does not require adoption by the Council or in case of any award to which a Municipal Corporation is a party and which is to be made in pursuance of a submission containing an agreement that the present subsection of this Act should apply thereto, the arbitrator or arbitrators shall take and immediately after the making of the award shall file with the Clerk of the Council for the inspection of all parties interested full notes of the oral evidence given on the reference, and also all documentary evidence or a copy thereof, and in case they proceed partly on a view or any knowledge or skill possessed by themselves or by any of them, they shall also put in writing a statement thereof sufficiently full to allow the Court to form a judgment of the weight which should be attached thereto ;

13. Every award made under this Act shall be in writing under the hands of all or two of the arbitrators, and shall be subject to the jurisdiction of any of the Superior Courts of Law or Equity as if made on a submission by a Bond containing an agreement for making the submission a rule or order of such Court. And in the cases provided for by the last preceding subsection the Court shall consider not only the legality of the award but the merits as they appear from the proceedings so filed as aforesaid, and may call for additional evidence to be taken in any manner the Court directs and may, either without taking such evidence or after taking such evidence, set aside the award, or remit the matters referred or any of them from time to time to the consideration and determination of the same arbitrators or to any other person or persons whom the Court may appoint as prescribed in the "Common Law Procedure Act, 1856" and fix the time within which such further or new award shall be made or the Court may itself increase or diminish the amount awarded or otherwise modify the award, as the justice of the case may seem to the Court to require.

4.--POUNDS AND POUND-KEEPERS.

340. The Council of every Township, Town and City, Incorporated Village, may respectively pass By-laws not being inconsistent with any Statute relating to Pounds or Cruelty to Animals.

1.--PROVIDING POUNDS.

1. For providing sufficient yards and inclosures for the safe keeping of such animals as it may be the duty of the Pound Keeper to impound; and it shall be the duty of the Council to provide such yards and enclosures. Pounds to be provided.

2.--ANIMALS RUNNING AT LARGE.

10 2. For restraining or regulating the running at large of any animals; and providing for impounding them; and for causing them to be sold in case they are not claimed within a reasonable time, or in case the damages, fines and expenses (as the case may be) are not paid according to law; such By-
15 laws not being contrary to the Statutes for the regulation of Pounds and Pound Keepers; Animals running at large.

3. For appraising the damages to be paid by the owners of animals impounded for trespassing contrary to the laws of Upper Canada or of the Municipality; Appraising damages done by.

3.--GENERAL PROVISIONS.

20 **341.** Until varied or other provisions are made by Act of Parliament, or by By-Laws of the Municipality, the following regulations shall be in force; Regulations for the government of Pound Keepers.

1. If not previously replevied, the Pound Keeper shall impound any horse, bull, ox, cow, sheep, pig, or other cattle, or
25 any poultry, distrained for unlawfully running at large, or for trespassing and doing damage, delivered to him for that purpose by any person resident within his division who has distrained the same.

2. When the common Pound of the Municipality or place
30 wherein a distress has been made is not secure, the Pound Keeper, or person who impounds any animal in the preceding clause mentioned, may confine the same in any inclosed place within the limits of the Pound Keeper's division within which such distress was made.

3. The person distraining and impounding any such animal shall, at the time or within twenty-four hours thereafter, deliver a statement to the Pound Keeper of his demands against the
Statement of demand to be made to Pound

Keeper by impounder. owner for damages (if any), not exceeding five pounds, done by such animal.

Notice of sale unless redeemed. 4. The Pound Keeper, or person who impounds any animal, shall, within forty-eight hours thereafter, cause written or printed notices thereof to be affixed and continued for three clear successive days, in three public places in the Municipality (of which places the door of the nearest school-house, or of the nearest church, chapel, or other public place in the vicinity shall be one), specifying in such notices the time and place at which such animal will be publicly sold, if not sooner replevied or redeemed by the owner or some one on his behalf paying the penalty imposed by law (if any), the amount of the injury (if any) claimed or decided to have been committed by the animal to the property of the person who distrained and impounded it, together with the lawful fees and charges of the Pound Keeper, and also of the fence-viewers (if any); but no pig or poultry shall be sold till after four clear days, nor any horse or other cattle till after eight clear days from the time of impounding the same respectively.

Keeper to feed impounded cattle. 5. Every Pound Keeper, and every person who impounds or confines, or causes to be impounded or confined, any animal as aforesaid in any common, open, or close Pound, or in any inclosed place, shall daily furnish such animal with good and sufficient food, water, and shelter, during the whole time that such animal continues impounded or confined.

6. Every such person who furnishes such animal with food, water, and shelter, may recover the value thereof from the owner of the animal and also a reasonable allowance for his time, trouble and attendance in the premises.

7. The value or allowance as aforesaid may be recovered, with costs, by summary proceeding before any one Justice of the Peace within whose jurisdiction the animal was impounded in like manner as fines, penalties or forfeitures for the breach of any By-law of the Municipality may by law be recovered and enforced by a single Justice of the Peace; and the Justice shall ascertain and determine the amount of such value and allowance when not otherwise fixed by law, adhering, so far as applicable, to the tariff of Pound Keepers' fees and charges that may be established by the By-laws of the Municipality.

8. The Pound Keeper, or person entitled so to proceed, may, instead of such summary proceeding, enforce the remuneration to which he is entitled in manner hereafter mentioned.

Sale how effected, &c., 9. In case such notices have been given and published three clear days, and in case the party claiming to sell any

such animal, first makes oath by affidavit in writing, before one of the Justices aforesaid, that such notices were duly affixed and published in the manner above prescribed, and satisfies such Justice thereof, then after the expiration of four clear days in the case of pigs or poultry, and of eight clear days in the case of a horse, or other cattle from the time of impounding the same respectively, if the owner or some one for him does not within the time specified in such notices, or before the sale of the animal, replevy or redeem the same in manner aforesaid, the Pound Keeper shall publicly sell the animal to the highest bidder, at the time and place mentioned in the aforesaid notices, and shall, after deducting the penalty and the damages (if any) and fees and charges aforesaid, apply the produce in discharge of the value of the food and nourishment, loss of time, trouble and attendance so supplied as aforesaid, and the expenses of driving or conveying and impounding or confining the animal, and of the sale and attending the same, or incidental thereto, and the damage, not exceeding five pounds, to be ascertained as aforesaid, done by the animal to the property of the person at whose suit the same was distrained, and return the overplus (if any) to the original owner of the animal, or if not claimed by him within three months after the sale, the Pound Keeper shall pay such overplus to the Treasurer or Chamberlain of and for the use of the Municipality.

purchase
money ap-
plied.

10. If the owner within forty-eight hours after the delivery of such statement, as provided in the third section of this act, disputes the amount of the damages so claimed, the amount shall be decided by the majority of three fence-viewers of the Municipality, one to be named by the owner of the animal, one by the person distraining or claiming damages, and the third by the Pound Keeper.

Disputes re-
garding such
demand, how
determined.

11. Such fence-viewers or any two of them shall, within twenty-four hours after notice of their appointment as aforesaid, view the fence and the ground upon which the animal was found doing damage, and determine whether or not the fence was a lawful one according to the Statutes or By-laws in that behalf at the time of the trespass; and if it was, then they shall appraise the damages committed, and, within twenty-four hours after having made the view, deliver to the Pound Keeper a written statement signed by at least two of them of their appraisement, and of their lawful fees and charges.

Fence-viewers
to view and
appraise da-
mage.

12. Any fence-viewer neglecting his duty as arbitrator as aforesaid shall incur a penalty of five shillings, to be recovered for the use of the Municipality, by summary proceeding before a Justice of the Peace upon the complaint of the party aggrieved or the Treasurer or Chamberlain of the Municipality.

Penalty for
neglect of duty
by viewers.

13. If the fence viewers decide that the fence was not a lawful fence, they shall certify the same in writing under

Proceedings
where viewers

decide against
the legality of
a fence.

their hands together with a statement of their lawful fees to the Pound Keeper, who shall upon payment of all lawful fees and charges deliver such animal to the owner, if claimed before the sale thereof, but if not claimed or if such fees and charges are not paid, the Pound Keeper, after due notice, as required by this act shall sell the animal in the manner before mentioned at the time and place appointed in the notices. 5

14. In case any Pound Keeper or person who impounds or confines, or causes to be impounded or confined, any animal as aforesaid, refuses or neglects to find, provide and 10 supply such good and sufficient food, water, and shelter to the animal, he shall for every day during which he so refuses or neglects forfeit a sum not less than five nor more than twenty shillings, which shall be recoverable by proceeding before any Justice of the Peace. 15

15. Every fine and penalty, imposed by this Act, may be recovered and enforced, with costs, by summary conviction, under the summary convictions Act, before any Justice of the Peace of the County, or of the Municipality, in which the offence was committed; and, in default of payment, the offender 20 may be committed to the Common Gaol, House of Correction, or Lock up House, of such County or Municipality, there to be imprisoned for any time, in the discretion of the convicting and committing Justice, not exceeding fourteen days unless such fine and penalty, and costs, including the costs of said 25 committal be sooner paid.

16. Upon the hearing of any information or complaint exhibited or made under this Act, any person giving or making the information or complaint, and any other person, shall be a competent witness, notwithstanding such person may be entitled to 30 any part of the pecuniary penalty, on the conviction of the offender.

17. When not otherwise provided every pecuniary penalty recovered before any Justice of the Peace under this Act shall be paid and distributed in the following manner one, moiety 35 to the Treasurer of the City, Town, Village or Township, in which the offence was committed, to be by such Treasurer applied in repairing streets or roads therein, and the other moiety thereof, with full costs, to the person who informed and prosecuted for the same, or to such other person as to the 40 Justice may seem proper.

5.--ADMINISTRATION OF JUSTICE AND MATTERS OF POLICE.

1.--CITIES TO BE COUNTIES, &c.

342. Every City shall for Municipal purposes and such judicial purposes as are herein specially provided for, but no other, be a County of itself.

In what respects Cities to be Counties.

2.—JUSTICES OF THE PEACE.

343. The Head of every Council, the Aldermen of a City, the Justices of the Peace and the Town Reeve of every Town, and the Deputy Town Reeve of every Township, Town and Incorporated Village, shall *ex officio* be Justices of the Peace for the whole County or union of Counties in which their respective Municipalities lie.

Mayors and Reeves to be Justices of the Peace.

3.—OATHS OF JUSTICES.

344. Justices of the Peace for any town, shall have the same property qualification and take the same oaths as other Justices of the Peace, but no Warden, Mayor, Recorder, Police Magistrate, Alderman, Reeve or Deputy Reeve, after taking the oaths as such, shall require to have any property qualification or to take any further oath to enable him to act as a Justice of the Peace.

Qualification and oaths of Councillors as Justice of the Peace when dispensed with.

345. When a Town is erected into a City and the Council of such City duly organized, every Commission of the Peace theretofore issued for such Town shall cease.

When Towns become Cities former Commissioners of Peace to cease.

346. Justices of the Peace for a County in which a City lies shall as such have no jurisdiction over offences committed in the City, and the warrants of County Justices shall require to be endorsed before being executed in a City in the same manner as required by law when to be executed in a separate County. But the general and adjourned Quarter Sessions of the Peace for such County may be held and the jurisdiction thereof exercised within such City.

County Justices to have no Jurisdiction in Cities, but Quarter Sessions may be held therein.

347. Nothing herein contained shall limit the power of the Governor to appoint under the Great Seal of the Province any number of Justices of the Peace for a Town or shall interfere with the Jurisdiction of Justices of the Peace for the County in which a Town is situate over offences committed in such Town, except only so far as respects offences against the By-laws of the Town and penalties for refusal to accept or be sworn into office in the Town as to which Jurisdiction shall be exercised exclusively by the Police Magistrate or Mayor or Justices of the Peace for the Town.

Governor may appoint Justices of the Peace for Towns.

Jurisdiction of County Justices in Towns.

348. The Mayor of any City or Town may call out the Possé to enforce the law within his Municipality should exigencies require it, but only under the same circumstances in which the Sheriff of a County may now by law do so.

Mayor may call out Possé.

349. The Head of every Council or in his absence the Chairman thereof, may administer an oath or affirmation to any person concerning any account or other matter submitted to the Council.

Powers of Heads of Councils to administer oaths.

4.--POLICE OFFICE.

Police Offices
in Cities and
Towns.

350. The Council of every Town and City shall establish therein a Police Office, and the Police Magistrate, or in his absence or where there is no Police Magistrate, the Mayor of the Town or City, shall attend at such Police Office daily, or at such times and for such period as may be necessary for the disposal of the business brought before him as a Justice of the Peace; and any Justice of the Peace having Jurisdiction in a Town may, at the request of the Mayor thereof, act in his stead at the Police Office; But, except in cases of urgent necessity, no such attendance is required on Sunday, Christmas Day, or 10 Good Friday, or any day appointed by Proclamation for a Public Fast or Thanksgiving.

RECORDER'S COURTS AND POLICE MAGISTRATES.

1.--RECORDER'S COURT.

Recorder's
Court in
Cities.

351. There shall be in every City a Court of Record to be called the Recorder's Court of the City; and therein the Recorder, assisted by one or more of the Aldermen, or in the absence of the Recorder or when there is no Recorder, the Mayor, and in his absence one of the Aldermen elected by themselves and assisted by one or more of the other Aldermen, shall preside; and such Court shall, as to crimes and offences committed in the City and as to matters of civil concern therein, have the same Jurisdiction and powers and use the like process and proceedings as Courts of Quarter Sessions of the Peace in Counties.

Jurisdiction of

2.--RECORDERS AND POLICE MAGISTRATES.

Recorder
qualification
of.

352. The Recorder shall be a Barrister of Upper Canada, of not less than five years' standing.

Salary of Recorder.

353. Every Recorder shall receive a salary of not less than two hundred and fifty pounds and every Police Magistrate not less than one hundred pounds per annum to be fixed by and to be paid quarterly by the Council.

When Recorder or Police Magistrate to be appointed.

354. A Recorder or a Police Magistrate shall not in the first instance be appointed for any Municipality, until the Council thereof communicates to the Governor its opinion that such an Officer is required.

To be appointed by the Crown.

355. Recorders and Police Magistrates shall be appointed by the Crown, and shall hold office during the pleasure of the Crown; and shall *ex officio* be Justices of the Peace for the Cities or Towns for which they are respectively appointed, and Every Police Magistrate shall be a Justice of the Peace for the County in which the City or Town in which he holds office is situate.

356. If the Council of a City declares its opinion that the Offices of Recorder and Police Magistrate may be vested in the same person, the same person shall be appointed to both offices; and the offices shall remain united until the Council communicates to the Governor its opinion that such offices should no longer continue united. During the union of the offices the person holding them shall not be entitled to any other than the salary herein provided for the Recorder.

Office of Police Magistrate and Recorder may be vested in the same person.

3.---THE CLERK.

357. The Clerk of the Council of every City or Town or such other person as the Council of such City or Town may appoint for that purpose shall be the Clerk of the Police Office thereof, and perform the same duties and receive the same emoluments as Clerks of Justices of the Peace, and the City Clerk or such other person as the Council of the City may appoint for that purpose shall also be Clerk of the Recorder's Court, and shall perform the same duties and receive the same emoluments as Clerks of the Peace.

Clerk of Recorder's Court and Police Office.

4.---SESSIONS OF RECORDER'S COURT.

358. The Recorder's Court shall hold four Sessions in each year, and such Sessions shall commence on the first Monday in the Months of January, April, July and November,

Sessions of Recorder's Court.

359. The panels of Grand Jurors shall consist of twenty-four persons, and the panels of the Petit Jurors of not less than thirty-six nor more than sixty persons; and all such persons shall be residents of the City, selected to serve as Jurors under "The Upper Canada Jurors Act."

Jurors.

360. The High Bailiff of the City shall ballot for and summon such Jurors under a precept signed by the Recorder, or by the Mayor, or the Alderman elected to act in the Recorder's place, *as the case may be*, in the manner directed in "The Upper Canada Jurors Act aforesaid."

High Bailiff to summon.

361. On the acquittal of any person tried for misdemeanor in a Recorder's Court, the presiding Officer shall, if the Court is satisfied that there was reasonable and probable cause for the prosecution, order the costs thereof to be taxed by the Clerk and to be paid out of the City Funds.

Costs of acquittals.

5.---EXPENSES OF RECORDER'S COURT.

362. The expenses of the administration of justice in criminal cases in the Recorder's Court, shall be defrayed out of the Consolidated Revenue Fund, in like manner and to the like extent as the expenses attending the administration of justice in criminal cases in the several Courts of Quarter Sessions in Upper Canada.

Expenses of criminal Justice in Recorder's Court how paid.

INVESTIGATIONS BY RECORDER UNDER RESOLUTION OF CITY COUNCIL.

Investigation
by Recorder
of charges of
malfeasance.

363. In case the Council of any City at any time passes a resolution requesting the Recorder of such City to investigate any matter to be mentioned in such resolution and relating to a supposed malfeasance, breach of trust or other misconduct on the part of any member of the Council or Officer of the Corporation, or of any person having a contract therewith, in relation to the duties or obligations of such Member, Officer or other person, to the City, or in case the Council of any City sees fit to cause inquiry to be made into or concerning any matter connected with the good Government of the City, or the conduct of any part of the public business thereof, and if such Council at any time passes a resolution requesting the Recorder of the City to make such inquiry, the said Recorder shall inquire into the same, and shall for that purpose have all the powers of Commissioners under the Act intituled, *An Act to empower Commissioners for inquiring into matters connected with the public business to take evidence on oath*; And the Recorder shall with all convenient speed report to the Council the result of such inquiry and the evidence taken thereon.

9 V. c. 38.

CITY DIVISION COURT.

Division
Court to be
held by Re-
corder.

364. The Governor may by Letters Patent, under the Great Seal, appoint the Recorder to preside over and hold the Division Court of that Division of the County which includes such City; and in such case, as long as the Letters Patent remain unrevoked, the Recorder shall have the powers and privileges and perform the duties otherwise belonging to the County Court Judge as Judge of the said Division Court, and during such period the authority and duties of the County Judge as Judge of such Division Court shall cease, except as in this Act provided.

Salary as
Judge of Divi-
sion Court.

365. The Governor in Council shall fix an annual salary to be paid to such Recorder for performing such duties, regard being had in fixing the same to the population resident within the Jurisdiction of such Division Court, the amount accruing from such Court to the fee fund, the amount of the salary of the Recorder as such, and the amount of the salaries of the County Court Judges in Upper Canada, and such salary shall be subject to be altered, in the like way, and shall be paid out of the like Fund and in the like manner as the salary of the County Judge in and for the County or union of Counties in which such City is situated.

Recorder
when not al-
lowed to prac-
tise at the
Bar.

366. While a Recorder is authorized to hold such Division Court, he shall not practise as a Barrister, Advocate, Attorney, Solicitor or Proctor in any Court of Law or Equity.

367. In case of the Recorder's illness or unavoidable absence, or absence by leave of the Governor while such Letters Patent are in force, the Judge of the County Court of the County in which such City lies, may officiate for the Recorder, 5 as Judge of such Division Court and in every other capacity pertaining to the office of the Recorder as Judge of such Division Court; or the Recorder may, by an instrument in writing under his hand and seal, appoint a Barrister of Upper Canada to act for him as Judge of such Division Court with like powers 10 as aforesaid; but no such appointment shall continue in force for more than one calendar month, unless renewed in like form.

Absence of Recorder provided for.
Appointment of Deputy.

368. Every such instrument shall contain a recital of the cause which renders the appointment therein contained necessary; and shall be executed in triplicate; and the Recorder shall file one of the triplicate originals in the Office of the 15 Clerk of such Division Court, and shall deliver or send to the person so named to officiate for him another thereof, and shall transmit the third of the Provincial Secretary for the information of the Governor.

Form of.

369. The Governor may, by an instrument under his Privy Seal, annul any such appointment; and may, if he thinks fit by the same instrument or any other instrument under his Privy Seal, appoint another Barrister of Upper Canada to act for such Recorder in the place of the Barrister appointed 25 by the Recorder.

Governor may supersede and substitute another.

JURORS AND WITNESSES.

1.—COMPETENCY.

370. In any prosecution, suit, action or proceeding to which a Municipal Corporation is a party, no Member, Officer or servant of the Corporation shall, on account of his being such, be an incompetent witness, or be liable to challenge as a Juror.

Competency of Jurors and witnesses.

2.—EXEMPTIONS.

371. The inhabitants of a City, shall be exempt from serving on juries at any other than the City Courts and Courts of Assize and *Nisi Prius*, Oyer and Terminer and General Gaol delivery for the County in which the City is situate, and on trials at Bar before the Superior Courts of Common Law.

Exemptions of Citizens as Jurors.

HIGH BAILIFF AND CONSTABLES.

372. Until the organization of the Board of Police hereinafter mentioned the Council of every City shall appoint annually a High Bailiff, but may provide by By-law that the offices of High Bailiff and Chief Constable shall be held by the same person.

Bailiffs and Constables.

Chief Constable.

373. Until such organization the Council of every City and Town shall appoint one Chief Constable for the Municipality, and one or more Constables for each Ward, and the persons so appointed shall hold office during the pleasure of the Council.

Arrests by bailiffs for alleged breaches of the Peace (not within view) when sanctioned.

374. In case any person complains to a Chief of Police, or to a Constable or Bailiff in a Town or City, of a breach of the Peace having been committed, and in case such officer has reason to believe that a breach of the Peace has been committed, though not in his presence, and that there is good reason to apprehend that the arrest of the person charged with committing the same is necessary to prevent the escape of such person or to prevent a renewal of the breach of the Peace, or to prevent immediate violence to person or property, then if the person complaining gives satisfactory security to the officer that he will without delay appear and prosecute the charge before the Police Magistrate, or before the Mayor or Sitting Justice, *as the case may be*, such officer may, without warrant, arrest the person charged in order to his being conveyed as soon as conveniently may be before such Magistrate, Mayor or Justice, to be dealt with according to Law.

Mayor, Recorder or Police Magistrate may suspend Bailiffs or Constables; when.

375. Every Mayor, Recorder and Police Magistrate may within his jurisdiction suspend from office for any period in his discretion, the Chief Constable, or Constable of the Town or City, and may, if he chooses, appoint some other person to the Office during such period; and in case he considers the suspended officer deserving of dismissal, he shall, immediately after suspending him report the Case to the Council, and the Council may dismiss such Officer, or may direct him to be restored to his Office after the period of his suspension expires; and the Recorder and City Council respectively shall have the like powers as to the High Bailiff of a City.

Salary to be withheld during suspension.

376. During the suspension of such officer he shall not be capable of acting in his Office except by the written permission of the Mayor, Recorder or Police Magistrate who suspended him, nor during such suspension shall be entitled to \$5 any salary or remuneration.

BOARD OF POLICE.

1.--OF WHOM COMPOSED.

New Board of Police of whom composed.

377. In every City there is hereby constituted a Board of Commissioners of Police, and such Board shall consist of the Mayor, Recorder and Police Magistrate, and if there is no Recorder or Police Magistrate, or if the offices of Recorder and Police Magistrate are filled by the same person, the Council of the City shall appoint a person resident therein to be a member of the Board, or two persons so resident to be members thereof, as the case may require.

2.—QUORUM.

378. A majority of the Board shall constitute a quorum, and the acts of a majority shall be considered acts of the Board. A majority to constitute a quorum.

3.—NUMBER OF THE POLICE FORCE.

379. The Police Force shall consist of a Chief Constable and as many Constables and other Officers and Assistants as the Council from time to time deems necessary, but not less in number than the Board reports to be absolutely required. Number of to be determined by the Council.

4.—APPOINTMENT OF POLICEMEN.

380. The members of the Police Force shall be appointed by and hold their offices at the pleasure of the said Board. The Police-men to be appointed by the Board.

5.—POLICE REGULATIONS.

381. The Board shall from time to time, as they may deem expedient, make such regulations for the government of the said Force for preventing neglect or abuse, and for rendering such force efficient in the discharge of all its duties. Board to make Police Regulations.

6.—POLICE SUBJECT TO THE BOARD, &c.

382. The said Constables shall obey all the lawful directions and be subject to the government of the said Board, and shall be charged with the special duties of preserving the peace, preventing robberies and other felonies and misdemeanors, and apprehending offenders, and shall have generally all the powers and privileges, and be liable to all the duties and responsibilities which belong by law to Constables duly appointed. The Police-men to be subject to the Board.

REMUNERATION AND CONTINGENT EXPENSES.

383. The Council shall fix and pay a reasonable remuneration for and to the respective members of the said Force, and shall provide and pay for all such offices, watch-houses, watch-boxes, arms, accoutrements, clothing and other necessaries as the Board may from time to time deem requisite and require for the accommodation and use of the said Force. Duties of Remuneration and contingent expenses.

6.—COURT HOUSES AND PRISONS.

1.—GAOLS AND COURT HOUSES.

384. Every County Council may pass By-Laws for erecting, improving and repairing a Court House, Gaol, House of Correction, and House of Industry, upon land being the property of the Municipality, and shall preserve and keep the same in repair.

Gaols and Court Houses to be common to Counties and Cities ; when.

385. The Gaol, Court House and House of Correction of the County in which a Town or City is situate, shall also be the Gaol, Court House and House of Correction of such Town or City ; and shall in the case of Cities continue to be so until the Council of the City otherwise directs ; and the Sheriff, Gaoler and Keeper of such Gaol and House of Correction shall receive and safely keep until duly discharged, all persons committed thereto by any competent authority of the Town or City. 5

Compensation how to be regulated and made.

386. While a City or Town uses the Court House, Gaol or House of Correction of the County, the City or Town shall pay to the County such Compensation therefor as may be mutually agreed upon or be settled by arbitration under this Act. 10

When the amount may be revised.

387. In case after the lapse of five years from such compensation being so agreed upon, or awarded, or having been settled by Act of Parliament, and whether before or after the passing of this Act, it appears reasonable to the Governor in Council, upon the application of either party, that the amount of such compensation should be reconsidered. He may by an Order in Council direct that the then existing arrangement shall cease after a time named in the order, and after such time the Councils shall settle anew, by agreement or by arbitration under this Act, the amount to be paid from the time so named in the Order. 15 20

City Councils may erect Court House, Jail, House of Correction and House of Industry.

388. The Council of every City may erect, preserve, improve and provide for the proper keeping of a Court House, Gaol, House of Correction and House of Industry upon lands being the property of the Municipality, and may pass By-Laws for all or any of such purposes. 25

Upon separation, Gaol and Court House regulations to continue.

389. In case of a separation of a Union of Counties, all rules and regulations and all matters and things in any Act of Parliament for the regulation of or relating to Court Houses or Gaols in force at the time of such separation, shall extend to the Court House and Gaol of the Junior County. 30

2.—LOCK-UP HOUSES.

Lock-up houses established by County Councils.

390. The Council of every County may establish a Lock-up House in any Town or Incorporated or Police Village within the County, and may establish and provide for the salary or fees to be paid to the Constable to be placed in charge of every such Lock-up House, and may direct the payment of any such salary out of the funds of the County. 35

A Constable to be placed in charge of.

391. Every such Lock-up House, shall be placed in the charge of a Constable specially appointed for that purpose, by the Magistrates of the County at any General Quarter Sessions of the Peace therefor, and such Constable shall reside in such Town or Village, and be one of the Constables of the Town or Township in which the Town or Village is situate. 40

392. Any Justice of the Peace residing in the Town or Village in which such Lock-up House is established or nearer thereto than the County Town, may direct by warrant in writing under his hand and seal, the confinement therein not exceeding two days, of any person charged on oath with a criminal offence, whom it may be necessary to detain until examined and either dismissed or fully committed for trial to the Common Gaol, and until such person can be conveyed to such Gaol; also the confinement therein not exceeding twenty-four hours, of any person found in the public streets in a state of intoxication, or any person convicted of desecrating the Sabbath, and generally may commit to such Lock-up House instead of the Common Gaol or other house of Correction, any person convicted on view of such Justice, or summarily convicted before any such Justice or Justices of the Peace of any offence cognizable by him or them, and liable to imprisonment therefor under any Statute in force in Upper Canada, or under the provisions of any Municipal By-law.

Who liable to confinement in, &c.

393. The expense of conveying any prisoner to and keeping him in any such Lock-up House shall be defrayed in the same manner as the expense of conveying him to and keeping him in the Common Gaol of the County.

Expense of conveying and maintaining prisoners.

394. Nothing herein contained shall affect any Lock-up House heretofore lawfully established, but the same shall continue to be a Lock-up House as if established under this Act.

Previous Lock-up houses to continue.

395. The Council of every City, Town and Incorporated Village may by By-laws establish, maintain and regulate lock-up houses for the detention and imprisonment of persons sentenced to imprisonment for not more than ten days under any By-law of the Council; and of persons detained for examination on a charge of having committed any offence; and of persons detained for transmission to any Common Gaol or house of Correction either for trial or in the execution of any sentence.

3.—HOUSES OF INDUSTRY.

396. The Council of every County may establish a House of Industry, and provide by By-law for the erection and repair thereof, and for the appointment and duties of Inspectors, Keepers, Matrons and other servants for the superintendence, care and management of such House of Industry, and in like manner make such rules and regulations (not repugnant to law) for the government of the same, as such Council may deem expedient.

County Councils may erect and appoint Inspectors of Houses of Industry.

397. Any two of Her Majesty's Justices of the Peace, or of the Inspectors appointed as aforesaid, may by writing under their hands and seals, commit to such House of Industry, to be employed and governed according to the rules, regulations and orders of the said House;

Who liable to be committed thereto.

1. All poor and indigent persons who are incapable of supporting themselves;

2. All persons without means of maintaining themselves and able of body to work and who refuse or neglect so to do;

3. All persons leading a lewd, dissolute, or vagrant life, and exercising no ordinary calling, or lawful business sufficient to gain or procure an honest living;

4. And all such as spend their time and property in public houses, to the neglect of any lawful calling.

Punishment
of refractory
inmates.

398. Every person committed to such House of Industry, if fit and able, shall be kept diligently employed at labour during his continuance there; and in case any such person is idle and does not perform such reasonable task or labour as may be assigned, or is stubborn, disobedient or disorderly, such person shall be punished according to the rules and regulations of such House of Industry in that behalf.

Inspectors to
keep and
render ac-
counts of Ex-
penses, &c.

399. The Inspectors shall keep an account of the charges of erecting, keeping, upholding and maintaining such House of Industry, and of all materials found and furnished therefor together with the names of the persons received into such House, as well as of those discharged therefrom, and also of the earnings, and such account shall be rendered to the County Council every year, or oftener when required by a By-law of such Council, and a copy thereof shall be presented to each Branch of the Legislature.

4.--WORKHOUSES.

Workhouses
in Cities and
Towns.

400. The Council of every City and Town may respectively pass By-laws for erecting and establishing within the City or Town or on such Industrial farm as mentioned in the two hundred and seventy-fourth section of this Act, a work house or house of correction and for regulating the government thereof.

Who liable to
be committed
thereto.

2. For committing or sending with or without hard labour to such work house or house of correction or to such Industrial farm, by the Mayor, Recorder, Police Magistrate or two Justices of the Peace for the City or Town, respectively, such description of persons as may by the Council be deemed and by By-law be declared expedient; and such farm shall for the purposes in this sub-section mentioned be deemed to be within the City or Town and the jurisdiction thereof;

5.—THE CARE OF GAOLS AND COURT HOUSES, &C.

Custody of
Gaols and
Court Houses.

401. The Sheriff shall have the care of the County Gaol and Court House and the appointment of the keepers thereof.

402. When the County Court House is a building separate from the Gaol and contains Municipal Offices therein, the Sheriff shall have the care of those portions of the building and appurtenances which are appropriated or necessary for the accommodation and use of the Courts of Justice, the Offices of the Sheriff and of such Courts, and of the resident keepers, and shall have the appointment of such Keepers. The care of the Municipal Offices and other portions of the building (if any) not appropriated nor required for any of the foregoing purposes, shall belong to the County Council and the respective officers of the Municipality to whom offices therein may be assigned.

When the care of Court House to be divided between Sheriff and County Council.

403. In Cities having a Gaol and Court House separate from the County Gaol and Court House, the care thereof shall be regulated by the By-laws of the City Council.

City Gaols to be regulated by By-law.

7.—INTERPRETATION CLAUSE.

401. Unless otherwise declared or indicated by the context, whenever any of the following words occur in this Act, the meanings hereinafter expressed shall attach to the same, namely :

Interpretation of words.

1. The word " Corporation " means the inhabitants of the Municipality in their corporate capacity ;

Corporation.

2. The word " Municipality " means any locality the inhabitants of which are incorporated under this Act, but it does not mean a Police Village ;

Municipality.

3. The word " Council " means the Municipal Council and the Provisional Municipal Council *as the case may be*, and the governing body of the Municipal Corporation ;

Council.

4. The word " County " means County, Union of Counties or United Counties, or Provisional County, (*as the case may be*) ;

County.

5. The word " Township " means Townships, Union of Townships or United Townships, (*as the case may be*) ;

Township.

6. The words " Land " " Lands, " " Real Estate, " " Real Property, " respectively, include lands, tenements and hereditaments and all rights thereto and interests therein, as the context may indicate or require ;

Land, Real estate.

7. Words in the singular or masculine include the plural or feminine of the same subject matter ;

Singular number.

8. The word " Month " means a calendar month ;

Month.

9. The word " Year " means a calendar year, and " year " alone is equivalent to " year of our Lord " ;

Year.

- Oath.** 10. The word *Oath* includes "Affirmation," where by law an Affirmation may be made instead of an Oath, and in like cases the word "Sworn" includes the word "Affirmed";
- Highway, road, &c.** 11. The words "Highway," "Road" or "Bridge" mean respectively a Public Highway, Road or Bridge;
- Electors.** 12. The word "Electors" means the persons entitled for the time being to vote at Municipal Elections in the Municipality or Ward or Police Village, (*as the case may be*);
- Voters.** 13. Electors may mean Voters and vice versâ, according to the context;
- Town Reeve.** 14. The term "Town Reeve" includes the Deputy Town Reeve when there is a Deputy Reeve for the Municipality;
- Next day.** 15. The words "next day" is not to apply to or include Sunday or Statutory Holydays;
16. When ever the Governor is authorized to do an Act by "Proclamation" it shall mean by a Proclamation issued under the Great Seal by order of the Governor in Council.

8.—REPEALING CLAUSE.

- Repeal of—** **405.** From the day of one thousand eight hundred and fifty- , the following Acts and part of Acts are hereby repealed, namely:
- 1 V. c. 21, ss. 33, 33, 34. The thirty-second, thirty-third and thirty-fourth sections of the Act of Upper Canada, passed in the first year of Her Majesty's Reign, chapter twenty-one, for regulating the appointment and duties of Township Officers;
- .2 V. c. 81 The Upper Canada Municipal Corporations Act of 1849;
- 13, 14 V. c. 64. The Upper Canada Municipal Corporations Law Amendment Act of 1850;

Except so much of the Schedules in either of the two last mentioned Acts as define the limits or boundaries of any Cities or Towns, being Schedule B of the Act of 1849, numbers two, three, four, six, seven, eight, nine, ten and eleven, and Schedule C of the same Act numbers one, two and three, and Schedule B of the Act of 1850, numbers one, five, twelve, thirteen, fourteen and fifteen.

And excepting also so much of Schedule A of the Act of 1849, as relates to Amherstburg, and excepting also so much of the two hundred and third section of the last mentioned Act and so much of any other sections of either of the said Acts relating to any of the Schedules thereof as have been acted upon

or as are in force and remain to be acted upon at the time this Act takes effect.

- The Upper Canada Municipal Corporations Law Amendment Act of 1851 ; 14 and 15 V. c. 109.
- 5 The Act passed on the thirtieth August, one thousand eight hundred and fifty-one, to enable Municipal Corporations in Upper Canada, to contract Debts to the Crown in the purchase of Public Works without imposing a Special Rate or Tax for the payment of the same ; 14 and 15 V. c. 124.
- 10 The Act passed on the tenth November, one thousand eight hundred and fifty-two, to enable the Township of Stamford, to make By-laws for the better government of that part of the said Township, which lies in the immediate vicinity of the Falls of Niagara ; 16 V. c. 35.
- 15 The Upper Canada Municipal Corporations Law Amendment Act of 1853 ; 16 V. c. 11
- The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, 12 V. c. 73
twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second
20 and twenty-third sections of the Act passed on the thirtieth day of May, one thousand eight hundred and forty-nine, chapter seventy-eight, for abolishing the Territorial Division of Upper Canada into Districts, and for providing for Unions of Counties for judicial and other purposes, and for the dissolution thereof ;
- 25 The Act passed on the thirtieth day of May, one thousand eight hundred and forty-nine, chapter seventy-nine, to supply provisions not included in the Statutes passed in the eleventh year of Her Majesty's Reign, chapter thirty-nine, and in the twelfth year of Her Majesty's Reign, chapter seventy-eight ; 12 V. c. 79. Part of 13 V. c. 78.
- 30 The fifteenth section of the Act passed on the seventeenth day of March one thousand eight hundred and forty-five, chapter twenty, for the regulation of Line Fences and Water Courses in Upper Canada ; 8 V. c. 20, s. 15.
- The Act passed on the eighteenth day of May, one thousand 9 V. c. 8.
35 eight hundred and forty-six, chapter eight, to prevent the opening of Government Allowances for Roads, without an order from the District Council ;
- The Act passed on the tenth day of August, one thousand eight hundred and fifty, chapter sixty-five, to amend the 13 and 14 V. c. 65.
40 Laws relative to Tavern Licenses in Upper Canada ;
- The Act passed on the thirtieth day of August, one thousand eight hundred and fifty-one, chapter one hundred and twenty, to explain and amend the last above mentioned Act ; 14 and 15 V. c. 120.

- 16 V. c. 184. The Act passed on the fourteenth day of June, one thousand eight hundred and fifty-three, chapter one hundred and eighty-four, to repeal certain duties of Excise, and to vest certain powers in the Municipal authorities in Upper Canada ;
- 19 and 14 V. c. 15. The Act passed on the tenth day of August, one thousand eight hundred and fifty, chapter fifteen, providing for the repair of Roads and Bridges within the limits of Incorporated Cities and Towns ;
- 18 V. c. 133. The Act passed on the thirtieth day of May, one thousand eight hundred and fifty-five, chapter one hundred and thirty-three, to require By-laws of City, Town, Village or Township Councils for raising money on the credit thereof, to be approved by a majority of the electors before coming into force ;
- 18 V. c. 134. The Act passed on the same day, chapter one hundred and thirty-four, to amend the Act of the previous Session, relative to certain duties of Excise in Upper Canada ;
- 10 and 11 V. c. 41, ss. 3, 5, 6. The third, fifth and sixth sections of the Act passed on the twenty-eighth day of July, one thousand eight hundred and forty-seven, chapter forty-one, to establish Lock-up Houses in the unincorporated Towns and Villages of Canada West ; 20
- 7 W. 4. c. 24. The Act passed in the seventh year of the reign of King William the Fourth, chapter twenty-four, for the erection and maintenance of Houses of Industry.
- 14 and 15 V. c. 117. The Act passed on the thirtieth day of August, one thousand eight hundred and fifty-one, chapter one hundred and seven-25 teen, to authorize the payment of certain expenses of the administration of Justice in the Recorder's Court in Upper Canada, out of the Consolidated Revenue Fund of the Province ;
- 18 V. c. 80. The Act passed on the nineteenth day of May, one thousand eight hundred and fifty-five, chapter eighty, to facilitate the 30 negotiation of Municipal
- 20 V. c. 6. The Act passed on the twenty-seventh of May, one thousand eight hundred and fifty-seven, chapter six, to amend the Municipal and Assessment Acts of Upper Canada, in so far as they relate to the commutation of statute labour ; 35
- 20 V. c. 67. The Act passed on the tenth of June in the same year chapter sixty-seven, to amend the Municipal Law relating to Incorporation of Villages ;
- 20 V. c. 68. The Act passed on the same day, chapter sixty-eight, to enable Counties, united for Municipal purposes, to carry on 40 improvements independently of each other ;

The Act passed on the same day, chapter, sixty-nine, to provide for the disposal of road allowances in the rural Municipalities of Upper Canada are hereby repealed. 20 V. c. 69.

- 5 Also the Acts of Upper Canada 32 Geo. 3, s. 14, 33 Geo. 3, c. 13, 2 Geo. 4, c. 8, and 4 W. 3, c. 18.

10 **406.** No Acts or parts of any Acts repealed by any of the above repealed Acts shall be revived, but all such Acts shall continue repealed and nothing in this repealing clause contained shall affect any statute not herein mentioned or any proclamation by or under which Cities and other Municipalities have been erected so far as respects the continuing of the same and the boundaries thereof. Acts formerly repealed to continue repealed.

9.—CONFIRMING AND SAVING CLAUSE.

15 **407.** The Head and Members of the Council, and the Officers, By-laws, Contracts, Property, Assets and Liabilities of every Municipal Corporation, and the Trustees of every Police Village existing when this Act takes effect, shall be deemed the Head and Members of the Council, and the Officers, By-laws, Contracts, Property, Assets and Liabilities of such Corporation, as continued under and subject to the provisions of this Act. Heads, officers, by-laws &c. continued.

20 **408.** All proceedings on behalf of or against any existing Municipal Corporation, or Police Trustees pending when this Act takes effect, shall be continued under this Act, in the name in which the same are then pending. Pending proceedings to continue.

25 **409.** All things heretofore done under the enactments hereby repealed, are confirmed, except any matter which has been or within six months after the passing of this Act, may be made the subject of proceedings at law or in equity. Past transactions confirmed.

30 **410.** All offences, neglects, fines, penalties, moneys, debts and other matters and things which immediately before this Act goes into effect might have been prosecuted, punished, enforced or recovered under the Acts or parts of Acts hereby repealed, may be prosecuted, punished, enforced or recovered under this Act, in the same manner, within the same time, and in the same name and by the same process and proceedings, as if the same respectively had been committed or incurred or had accrued or become due or payable after the taking effect of this Act. Previous offences may be prosecuted in the new Corporation name.

SCHEDULE

OF

EXISTING MUNICIPALITIES.

ADDINGTON—COUNTY OF.

See Frontenac—Lennox and Addington.

BRANT—COUNTY OF.

TOWNSHIPS.

- | | |
|--------------------|--------------|
| 1. Brantford, | 4. Onondaga, |
| 2. Burford, | 5. Oakland. |
| 3. South Dumfries, | |

INCORPORATED TOWNS.

- | | |
|---------------|----------|
| 1. Brantford, | 2. Paris |
|---------------|----------|

BRUCE—COUNTY OF.

See Huron and Bruce.

CARLETON—COUNTY OF.

TOWNSHIPS.

- | | |
|----------------|-----------------|
| 1. Goulbourn, | 6. March, |
| 2. Fitzroy, | 7. North Gowe |
| 3. Gloucester, | 8. Osgoode, |
| 4. Huntley, | 9. Thorbolton, |
| 5. Nepean, | 10. Marlborough |

CITIES.

1. Ottawa.

INCORPORATED VILLAGES.

1. Richmond.

DUNDAS—COUNTY OF.

See United Counties of Stormont—Dundas and Glengarry.

DURHAM—COUNTY OF.

See Northumberland and Durham.

ELGIN—COUNTY OF.

TOWNSHIPS.

- | | |
|----------------|----------------------|
| 1. Aldborough, | 5. Southwold, |
| 2. Bayham, | 6. South Dorchester, |
| 3. Dunwich, | 7. Yarmouth. |
| 4. Malahide, | |

INCORPORATED VILLAGES.

- | | |
|----------------|------------|
| 1. St. Thomas, | 2. Vienna, |
|----------------|------------|

POLICE VILLAGES.

1. Aylmer.

ESSEX—COUNTY OF.

TOWNSHIPS.

- | | |
|----------------|------------------|
| 1. Anderton, | 6. Mersea, |
| 2. Colchester, | 7. Rochester, |
| 3. Gosfield, | 8. Sandwich, |
| 4. Maidstone, | 9. Tilbury West. |
| 5. Malden. | |

TOWNS.

- | | |
|--------------|-------------|
| 1. Sandwich. | 2. Windsor. |
|--------------|-------------|

INCORPORATED VILLAGES.

1. Amherstburg,

FRONTENAC, LENNOX AND ADDINGTON—UNITED COUNTIES OF :

1. FRONTENAC,

TOWNSHIPS.

- | | |
|----------------|------------------|
| 1. Kingston, | 3. Storrington, |
| 2. Loughboro', | 4. Wolfe Island. |

UNITED TOWNSHIPS.

1. Bedford and Olden, Oso and Palmerston,
2. Pittsburgh, with Howe Island,
3. Portland, Barrie and Clarendon,
4. Hinchinbrooke and Kennebec.

CITIES.

1. Kingston.

2. LENNOX,

TOWNSHIPS.

- | | |
|---------------------|--------------|
| 1. Adolphustown, | 3. Richmond. |
| 2. Fredericksburgh, | |

INCORPORATED VILLAGES.

1. Napanee.

3. ADDINGTON,

TOWNSHIPS.

- | | |
|--------------------|------------------|
| 1. Amherst Island, | 2. Cambden East, |
| 3. Ernest-Town. | |

UNITED TOWNSHIPS.

1. Sheffield, Anglesea and Kalladar.

GLENGARRY—COUNTY OF.

See United Counties of Stormont, Dundas and Glengarry.

GRENVILLE—COUNTY OF.

See Leeds and Grenville.

GREY—COUNTY OF.

TOWNSHIPS.

- | | |
|-----------------|----------------|
| 1. Artemesia, | 6. Egremont, |
| 2. Bentinck, | 7. Glenelg, |
| 3. Collingwood, | 8. Holland, |
| 4. Derby, | 9. Melancthon, |
| 5. Euphrasia, | 10. Normanby, |

GREY—COUNTY OF.—*Continued.*

TOWNSHIPS.

- | | |
|---------------|------------------|
| 11. Osprey, | 14. Sydenham, |
| 12. Proton, | 15. St. Vincent. |
| 13. Sullivan, | |

TOWNS.

- Owen's Sound.

HALDIMAND—COUNTY OF.

TOWNSHIPS.

- | | |
|-------------------|-------------|
| 1. Cayuga, North, | 5. Oneida, |
| 2. Cayuga, South, | 6. Seneca, |
| 3. Canboro, | 7. Walpole, |
| 4. Dunn, | 8. Rainham. |

UNITED TOWNSHIPS.

- Moulton and Sherbrooke.

INCORPORATED VILLAGES.

- Caledonia.

HALTON—COUNTY OF.

TOWNSHIPS.

- | | |
|---------------|-----------------|
| 1. Esquesing, | 3. Nassagaweya, |
| 2. Nelson, | 4. Trafalgar. |

TOWNS.

- | | |
|------------|--------------|
| 1. Milton, | 2. Oakville. |
|------------|--------------|

HASTINGS—COUNTY OF.

TOWNSHIPS.

- | | |
|----------------|----------------|
| 1. Hungerford, | 4. Sidney, |
| 2. Huntingdon, | 5. Thurlow, |
| 3. Rawdon, | 6. Tyendinaga. |

UNITED TOWNSHIPS.

- Madoc, Elzevir and Tudor,
- Marmora and Lake.

TOWNS.

- Belleville.

INCORPORATED VILLAGES.

- Trenton.

POLICE VILLAGES.

- | | |
|---------------|------------------|
| 1. Stirling, | 3. Shannonville, |
| 2. Frankford, | 4. Hastings. |

HURON AND BRUCE—UNITED COUNTIES OF

1. HURON,

TOWNSHIPS.

- | | |
|-----------------|------------------|
| 1. Ashfield, | 10. McKillop, |
| 2. Biddulph, | 11. Morris, |
| 3. Colborne, | 12. Stanley, |
| 4. Goderich, | 13. Stephen, |
| 5. Grey, | 14. Tuckersmith, |
| 6. Hay, | 15. Turnberry, |
| 7. Hallet, | 16. Osborne, |
| 8. Howick, | 17. Wawanosh. |
| 9. McGillivray, | |

HURON AND BRUCE—UNITED COUNTIES OF:

1.—HURON,

TOWNS.

1. Goderich.

INCORPORATED VILLAGES.

1. Clinton,

2. Walkerton.

2. BRUCE,

TOWNSHIPS.

1. Brant,

6. Greenock,

2. Bruce,

7. Huron,

3. Carrick,

8. Kincardine,

4. Culross,

9. Kinloss,

5. Elderslie,

10. Saugeen.

UNITED TOWNSHIPS.

1. Arran and Amabel.

PROVISIONAL COUNTY.

1. Bruce.

KENT—COUNTY OF.

TOWNSHIP.

1. Cambden,

6. Raleigh,

2. Chatham,

7. Romney,

3. Dover, East and West,

8. Tilbury, East,

4. Harwich,

9. Orford,

5. Howard,

10. Zone.

INCORPORATED TOWNS.

1. Chatham.

POLICE VILLAGE.

1. Morpeth.

LAMBTON—COUNTY OF.

TOWNSHIPS.

1. Brooke,

6. Moore,

2. Bosanquet,

7. Plympton,

3. Dawn,

8. Sarnia,

4. Euphemia,

9. Sombra,

5. Emmiskillen,

10. Warwick.

TOWNS.

1. Sarnia.

LANARK AND RENFREW—UNITED COUNTIES OF:

1. LANARK,

TOWNSHIPS.

1. Beckwith,

6. Lanark,

2. Burgess, North,

7. Montague,

3. Darling,

8. Ramsey,

4. Drummond,

9. Pakenham.

5. Elmsley, North,

UNITED TOWNSHIPS.

1. Bathurst and South Sherbrooke,

2. Dalhousie, North Sherbrooke and Levant.

LANARK AND RENFREW—UNITED COUNTIES OF:—

Continued.

1.—LANARK,

TOWNS.

1. Perth.

INCORPORATED VILLAGES.

1. Smiths-falls.

POLICE VILLAGES.

1. Pakenham.

2. RENFREW,

TOWNSHIPS.

- | | |
|--------------|---------------|
| 1. Admaston, | 5. Westmeath, |
| 2. Bromley, | 6. Ross, |
| 3. Horton, | 7. Pembroke. |
| 4. McNab, | |

UNITED TOWNSHIPS.

1. Bagot, Blythfield and Brougham,
2. Stafford and Allace,
3. Wilberforce and Grattan.

POLICE VILLAGES.

- | | |
|--------------|-------------|
| 1. Pembroke, | 2. Almonte. |
|--------------|-------------|

LEEDS AND GRENVILLE—UNITED COUNTIES OF

1. LEEDS,

TOWNSHIPS.

- | | |
|-------------------|------------------|
| 1. Elizabethtown, | 4. North Crosby, |
| 2. Elmsley, | 5. South Crosby. |
| 3. Kitley, | |

UNITED TOWNSHIPS.

1. Bastard and Burgess,
2. Front of Leeds and Lansdown,
3. Rear of Leeds and Lansdown,
4. Front of Yonge and Escott,
5. Rear of Yonge and Escott.

INCORPORATED TOWNS.

1. Brockville.

2. GRENVILLE,

TOWNSHIPS.

- | | |
|------------------|-------------|
| 1. Augusta, | 4. Oxford, |
| 2. Edwardsburgh, | 5. Wolford. |
| 3. South Gower, | |

INCORPORATED TOWNS.

1. Prescott.

INCORPORATED VILLAGES.

1. Kempville.

LENNOX—COUNTY OF.

See Frontenac, Lennox and Addington.

LINCOLN—COUNTY OF.—*Continued.*

TOWNSHIPS.

- | | |
|--------------|---------------|
| 1. Niagara, | 5. Caistor, |
| 2. Grantham, | 6. Grimsby, |
| 3. Louth, | 7. Gainsboro? |
| 4. Clinton, | |

TOWNS.

- | | |
|-------------|--------------------|
| 1. Niagara, | 2. St. Catherines. |
|-------------|--------------------|

INCORPORATED VILLAGE.

1. Queenston.

MIDDLESEX—COUNTY OF.

TOWNSHIPS.

- | | |
|-----------------------|---------------------|
| 1. Adelaide, | 7. London, |
| 2. Caradoc, | 8. Mosa, |
| 3. Delaware, | 9. Metcalfe, |
| 4. Dorchester, North, | 10. Nissouri, West, |
| 5. Ekfrid, | 11. Westminster, |
| 6. Lobo, | 12. Williams. |

CITY.

1. London.

POLICE VILLAGES.

- | | |
|-------------|--------------|
| 1. Newburg, | 2. Carlisle. |
|-------------|--------------|

NORFOLK—COUNTY OF.

TOWNSHIPS.

- | | |
|--------------------|----------------|
| 1. Charlotteville, | 5. Walsingham, |
| 2. Houghton, | 6. Windham, |
| 3. Middleton, | 7. Woodhouse. |
| 4. Townsend, | |

TOWNS.

1. Simcoe.

NORTHUMBERLAND AND DURHAM—UNITED COUNTIES OF:

1. NORTHUMBERLAND,

TOWNSHIPS.

- | | |
|---------------|---------------------|
| 1. Alnwick, | 6. Monaghan, South, |
| 2. Brighton, | 7. Murray, |
| 3. Cramahé, | 8. Percy, |
| 4. Haldimand, | 9. Seymour. |
| 5. Hamilton, | |

TOWNS.

1. Cobourg.

INCORPORATED VILLAGES.

1. Newcastle.

POLICE VILLAGES.

1. Orono.

2. DURHAM,

TOWNSHIPS.

- | | |
|----------------|----------------|
| 1. Clarke, | 4. Cartwright, |
| 2. Darlington, | 5. Cavan, |
| 3. Hope, | 6. Manvers. |

NORTHUMBERLAND AND DURHAM—UNITED COUNTIES
OF :—*Continued.*

2. DURHAM,

TOWNS.

- | | |
|---------------|-----------------|
| 1. Port Hope, | 2. Bowmanville. |
|---------------|-----------------|

ONTARIO—COUNTY OF.

TOWNSHIPS:

- | | |
|---------------|--------------|
| 1. Brock, | 5. Scugog, |
| 2. Pickering, | 6. Thorah, |
| 3. Reach, | 7. Uxbridge, |
| 4. Scott, | 8. Whitby. |

UNITED TOWNSHIPS.

1. Mara and Rama.

TOWNS.

1. Whitby.

INCORPORATED VILLAGES.

1. Oshawa.

POLICE VILLAGES.

1. Beaverton.

OXFORD—COUNTY OF.

TOWNSHIPS.

- | | |
|---------------------|--------------------|
| 1. Blandford, | 7. Oxford (East), |
| 2. Blenheim, | 8. Oxford (West), |
| 3. Dereham, | 9. Oxford (North), |
| 4. Nissouri (East), | 10. Zorra (East), |
| 5. Norwich (North), | 11. Zorra (West). |
| 6. Norwich (South), | |

TOWNS.

1. Woodstock.

INCORPORATED VILLAGES.

1. Ingersoll.

POLICE VILLAGES:

- | | |
|-----------|----------------|
| 1. Embro, | 2. Thamesford. |
|-----------|----------------|

PEEL—COUNTY OF:

See York and Peel.

PERTH—COUNTY OF.

TOWNSHIPS.

- | | |
|--------------------|---------------|
| 1. North Easthope, | 6. Fullarton, |
| 2. South Easthope, | 7. Hibbert, |
| 3. Downie, | 8. Blanshard, |
| 4. Ellice, | 9. Elma. |
| 5. Mornington, | |

UNITED TOWNSHIPS.

1. Logan and Wallace.

INCORPORATED VILLAGES.

- | | |
|----------------|--------------|
| 1. Stratford, | 3. Mitchell. |
| 2. St. Mary's, | |

PETERBOROUGH AND VICTORIA—UNITED COUNTIES OF**1. PETERBOROUGH,**

TOWNSHIPS.

- | | |
|---------------|--------------|
| 1. Asphodel, | 4. Monaghan, |
| 2. Douro, | 5. Otonabee. |
| 3. Ennismore, | |

UNITED TOWNSHIPS.

1. Belmont and Menthuen,
2. Dummer and Burleigh,
3. Simth and Harvey.

TOWNS.

1. Peterborough.

2. VICTORIA,

TOWNSHIPS.

- | | |
|-----------|--------------|
| 1. Eldon, | 3. Mariposa, |
| 2. Emily, | 4. Ops. |

UNITED TOWNSHIPS.

1. Fenelon and Bexley,
2. Verulam and Sommerville.

TOWNS.

1. Lindsay.

PRESCOTT AND RUSSELL—UNITED COUNTIES OF :**1. PRESCOTT,**

TOWNSHIPS.

- | | |
|---------------------|-----------------------|
| 1. Alfred, | 5. Longueil, |
| 2. Caledonia, | 6. North Plantagenet, |
| 3. East Hawkesbury, | 7. South Plantagenet. |
| 4. West Hawkesbury, | |

2. RUSSELL,

TOWNSHIPS.

- | | |
|---------------|----------------|
| 1. Cambridge, | 3. Cumberland, |
| 2. Clarence, | 4. Russell. |

PRINCE EDWARD—COUNTY OF.

TOWNSHIPS.

- | | |
|------------------|------------------|
| 1. Hallowell, | 4. Sophiasburgh, |
| 2. Hillier, | 5. Marysburgh, |
| 3. Ameliasburgh, | 6. Athol. |

TOWNS.

1. Picton.

RENFREW—COUNTY OF.

See Lanark and Renfrew.

RUSSELL—COUNTY OF.

See Prescott and Russell.

SIMCOE—COUNTY OF.

TOWNSHIPS.

- | | |
|------------|--------------|
| 1. Adjala, | 3. Flos, |
| 2. Essa, | 4. Innisfil, |

SIMCOE—COUNTY OF—*Continued.*

TOWNSHIPS.

- | | |
|-----------------|-----------------------|
| 5. Nottawasaga, | 9. Cro, |
| 6. Mono, | 10. Tecumseth. |
| 7. Mulmer, | 11. Tesserontio, |
| 8. McDonté, | 12. West Gwillimbury. |

UNITED TOWNSHIPS.

- | | |
|--------------------------|----------------------------|
| 1. Vespra and Sunnidale, | 3. Orillia and Matchedash. |
| 2. Tay and Tiny. | |

TOWNS.

- | | |
|--------------|-----------------|
| 1. Barrie, | 3. Collingwood. |
| 2. Bradford, | |

STORMONT, DUNDAS AND GLENGARRY—UNITED COUNTIES OF :

1. STORMONT,

TOWNSHIPS.

- | | |
|--------------|----------------|
| 1. Cornwall, | 3. Osnabruck, |
| 2. Finch, | 4. Roxborough. |

TOWN.

1. Cornwall.

2. DUNDAS,

TOWNSHIPS.

- | | |
|--------------|------------------|
| 1. Matilda, | 3. Williamsburg, |
| 2. Mountain, | 4. Winchester. |

INCORPORATED VILLAGE.

1. Iroquois.

3. GLENGARRY,

TOWNSHIPS.

- | | |
|---------------------|---------------|
| 1. Charlottenburgh, | 3. Lancaster, |
| 2. Kenyon, | 4. Lochiel. |

VICTORIA—COUNTY OF.

See Peterboro' and Victoria.

WATERLOO—COUNTY OF.

TOWNSHIPS.

- | | |
|--------------------|---------------|
| 1. North Dumfries, | 4. Woolwich, |
| 2. Waterloo, | 5. Wellesley. |
| 3. Wilmot, | |

TOWNS.

1. Galt.

INCORPORATED VILLAGES.

- | | |
|-----------------|--------------|
| 1. Berlin, | 3. Preston, |
| 2. New Hamburg, | 4. Waterloo. |

WELLAND—COUNTY OF.

TOWNSHIPS.

- | | |
|-----------------|----------------|
| 1. Bertie, | 5. Stamford, |
| 2. Crowland, | 6. Thorold, |
| 3. Humberstone, | 7. Wainfleet, |
| 4. Pelham, | 8. Willoughby. |

WELLAND—COUNTY OF—*Continued.*

TOWNS.

1. Clifton.

INCORPORATED VILLAGES.

- | | |
|---------------|-------------------|
| 1. Chippawa, | 3. Merrittsville, |
| 2. Fort Erie, | 4. Thorold. |

POLICE VILLAGES.

1. Port Robinson.

WELLINGTON—COUNTY OF.

TOWNSHIPS.

- | | |
|-----------------|-----------------|
| 1. Amaranth, | 7. Minto, |
| 2. Eramosa, | 8. Nichol, |
| 3. Erin, | 9. Peel, |
| 4. Garafraxa, | 10. Pilkington, |
| 5. Guelph, | 11. Puslinch. |
| 6. Maryborough, | |

UNITED TOWNSHIPS.

1. Arthur and Luther.

TOWNS.

1. Guelph.

INCORPORATED VILLAGES.

- | | |
|------------|-----------|
| 1. Fergus, | 2. Elora. |
|------------|-----------|

WENTWORTH—COUNTY OF.

TOWNSHIPS.

- | | |
|---------------|--------------------|
| 1. Ancaster, | 5. East Flamboro'; |
| 2. Barton, | 6. West Flamboro'; |
| 3. Beverley, | 7. Glanford, |
| 4. Binbrooke, | 8. Saltfleet. |

CITIES.

1. Hamilton.

TOWNS.

1. Dundas.

POLICE VILLAGES.

1. Ancaster.

YORK AND PEEL—UNITED COUNTIES OF:

1. YORK,

TOWNSHIPS.

- | | |
|------------------------|-----------------|
| 1. Etobicoke, | 6. Markham. |
| 2. Georginia, | 7. Scarborough, |
| 3. Gwillimbury, North, | 8. Vaughan, |
| 4. Gwillimbury, East, | 9. Whitchurch, |
| 5. King, | 10. York. |

CITIES.

1. Toronto.

INCORPORATED VILLAGES.

- | | |
|---------------|---------------|
| 1. Newmarket, | 2. Yorkville. |
|---------------|---------------|

POLICE VILLAGE.

1. Aurora.

YORK AND PEEL—UNITED COUNTIES OF—*Continued.*

2. PEEL,

TOWNSHIPS.

- | | |
|------------------|---------------------|
| 1. Albion, | 4. Toronto, |
| 2. Caledon, | 5. Gore of Toronto. |
| 3. Chinguacousy, | |

INCORPORATED VILLAGES.

1. Brampton.

PROVISIONAL COUNTY.

1. County of Peel.
-

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SCHEDULE

TO THE

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(Consolidated in the New Bill and to be repealed.)

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		SCHEDULE—NEW BILL—Continued.	
Sects.	Subs.		
115	New.	
116	"	
117	"	
118	12 V. c. 81, ss. 110, 112, 153—13, 14 V. c. 61, A 23, 29, 30.	
119	" s. 162—13, 14 V. c. 61, A 27.	
120	" s. 162—13, 14 V. c. 61, A 27.	
121	New.	
122	12 V. c. 81, s. 164.	
123	" s. 165—13, 14 V. c. 64, s. 31.	
124	1 to 2	12 V. c. 81, ss. 145, 147, 149, 151, 152, 153—13, 14 V. c. 64, A 23, 24, 25— 16 V. c. 181, ss. 27, 28, 29.	
125	New	
126	12 V. c. 81, s. 31—13, 14 V. c. 61, s. 16—11, 15 V. c. 109, A 30.	
127	" ss. 24, 26, 34.	
128	" ss. 35, 53—14, 15 V. c. 109, s. 8.	
129	11, 15 V. c. 109, s. 8.	
130	13, 14 V. c. 64, s. 15.	
131	12 V. c. 81, ss. 51, 77.	
132	" ss. 25, 26.	
133	" s. 85.	
134	" s. 139.	
135	" ss. 25, 109.	
136	16 V. c. 181, s. 30.	
137	" s. 33.	
138	12 V. c. 81, s. 25.	
139	" ss. 27, 108.	
140	" s. 27.	
141	" s. 77.	
142	16 V. c. 181, s. 30.	
143	12 V. c. 81, s. 34.	
144	" ss. 111, 166, 167—14, 15 V. c. 109, A 22, 23—16 V. c. 181, s. 38.	
145	16 V. c. 181, s. 38.	
146	12 V. c. 81, ss. 169, 170.	
147	12 V. c. 81, ss. 169, 170.	
148	16 V. c. 163—19 V. c. 16, s. 2.	
149	" "	
150	" "	
151	" "	
152	" "	
153	" "	
154	" "	
155	12 V. c. 81, ss. 171, 172—13, 14 V. c. 64, A 32.	
156	" s. 172.	
157	16 V. c. 22, s. 6.	
158	12 V. c. 81, ss. 28, 78, 132, 133, 134.	
159	" s. 120—14, 15 V. c. 109, A 16.	
160	" s. 123— " "	
161	12 V. c. 78, s. 14.	
162	" s. 14.	
163	12 V. c. 81, ss. 40, 143, 144—14, 15 V. c. 109, Sch. A 19.	
164	14, 15 V. c. 109, A 19.	
165	" "	
166	12 V. c. 81, s. 29—14, 15 V. c. 109, A 19.	
167	" "	
168	12 V. c. 81, ss. 43, 143—14, 15 V. c. 109, A 19.	
169	" s. 31, No. 7; s. 41, No. 7.	
170	" s. 31, No. 7; s. 41, No. 7 & 171—13, 14 V. c. 67, s. 67.	
171	" ss. 119, 127, 129,—13, 14 V. c. 64, A 22—14, 15 V. c. 109, A 17.	
172	" s. 127— " "	
173	" s. 127— " "	
174	" s. 143— " "	
175	1 to 5	" s. 76—16 V. c. 181, s. 24.	

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176	12 V. c. 81, ss. 76, 113, 125.
177	“ ss. 76, 113, 125.
178	“ ss. 113, 125.
179	“ ss. 113, 125.
180	“ ss. 113, 125.
181	“ s. 130.
182	“ s. 174.
183	“ ss. 60, 67, 106, 107.
184	“ s. 31, No. 32; s. 60, No. 23; s. 81, No. 9; s. 107, No. 5,
185	“ s. 31, No. 32, 33; s. 41, No. 23; s. 81, No. 10; s. 107, No. 6— 14, 15 V. c. 109, s. 14.
186	“ s. 198.
187	“ s. 198.
188	16 V. c. 181, s. 37.
189	“ s. 37.
190	1 to 7	16 V. c. 181, s. 37—16 V. c. 181, s. 15, No. 4—16 V. c. 22, s. 2—18 V. c. 133,
191	14, 15 V. c. 109, s. 13.
192	12 V. c. 81, s. 155—14, 15 V. c. 109, A 21.
193	“
194	“
195	“
196	“
197	“
198	12 V. c. 81, s. 155—13, 14 V. c. 64, A 26—14, 15 V. c. 109, A 21.
199	14, 15 V. c. 109, s. 35.
200	12 V. c. 81, s. 155—13, 14 V. c. 64, A 25.
201	“ ss. 72, 185.
202	16 V. c. 181, s. 31.
203	“ s. 31.
204	“ s. 31.
205	12 V. c. 81, s. 72.
206	“ s. 72.
207	“ s. 198.
208	18 V. c. 80, s. 1.
209	“ s. 2.
210	“ s. 3.
211	“ s. 4.
212	12 V. c. 81, s. 183.
213	“ s. 183.
214	“ s. 116.
215	“ s. 145.
216	14, 15 V. c. 109, s. 35.
217	1 to 6	12 V. c. 81, s. 179.
218	“ s. 31, No. 31; s. 41, No. 22; s. 60, No. 22; s. 81, No. 8; s. 107, No. 4; s. 177—14, 15 V. c. 109, A 24—14, 15 V. c. 109, s. 1.
219	“ s. 31, No. 30; s. 41, No. 21; 60, No. 21; 81, No. 7; 107, No. 3—18 V. c. 133—13, 14 V. c. 64, s. 11—14, 15 V. c. 109, s. 4.
220	“ s. 41, No. 21; s. 60, No. 21—14, 15 V. c. 109, s. 4.
221	“ s. 41, No. 21; 60, No. 21—14, 15 V. c. 109, s. 16.
222	14, 15 V. c. 124, s. 60, No. 21.
223	14, 15 V. c. 109, s. 7.
224	“ ss. 8, 9.
225	“ s. 9.
226	“ ss. 5, 6, 9.
227	“ ss. 10, 14.
228	“ s. 10—12 V. c. 81, s. 178—13, 14 V. c. 64, s. 14.
229	“ s. 15.
230	1 to 4	“ s. 11.
231	&subs.	12 V. c. 81, s. 31, No. 31—14, 15 V. c. 109, s. 12.
232	1 to 7	14, 15 V. c. 109, ss. 12, 11.

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233	14, 15 V. c. 109, s. 11.	
234	12 V. c. 81, s. 180.	
235	" s. 180.	
236	" s. 181.	
237	" s. 181.	
238	New.	
239	1 to 7	12 V. c. 81, s. 31, Nos. 1, 2, 5, 6, 7, 8, 20; ss. 36, 41, Nos. 1, 2, 20—13, 14 V. c. 64, A 9—14, 15 V. c. 109, A 10.	
240	New.	
241	12 V. c. 81, s. 60, No. 15; ss. 21, 137.	
242	1 to 5	" s. 60, No. 19; s. 117—13, 14 V. c. 64, A 20—13, 14 V. c. 65, ss. 4, 5—14, 15 V. c. 120, s. 2—16 V. c. 18, s. 4—16 V. c. 184, s. 4.	
243	" s. 60, No. 19.	
244	12 & 3	" s. 61, No. 19.	
245	" s. 61, No. 19.	
246	12 & 3	" s. 60, No. 9—16 V. c. 194, s. 3, No. 2, 34—12 V. c. 81, s. 31, No. 14.	
247	16 V. c. 184, s. 4.	
248	" s. 5	
249	12 V. c. 81, s. 118—13, 14 V. c. 64, A 21.	
250	" ss. 30, 31, No. 25—12 V. c. 35, s. 42.	
251	1 to 13	12 V. c. 81, s. 60, No. 4; s. 31, No. 3; s. 41, No. 3; ss. 189, 31, Nos. 19, 20, 21, 22, 25—14, 15 V. c. 109, A 25—16 V. c. 181, s. 9, Nos. 3, 5; s. 15, Nos. 3, 4; s. 32.	
252	New.	
253	12 V. c. 81, s. 41, No. 9—16 V. c. 181, s. 9, No. 4.	
254	New.	
255	12 V. c. 81, s. 15—16 V. c. 181, ss. 6, 7, 8—16 V. c. 35.	
256	16 V. c. 35.	
257	16 V. c. 181, s. 9, No. 2.	
258	New.	
259	12 V. c. 85, s. 12—18 V. c. 135.	
260	New.	
261	12 V. c. 81, s. 81, No. 3—16 V. c. 181, s. 9, No. 1.	
262	" s. 81, No. 3—16 V. c. 181, s. 9, No. 1.	
263	New.	
264	1 to 4	12 V. c. 81, s. 41, Nos. 6, 8—18 V. c. 134—16 V. c. 184, s. 2; s. 3, No. 1—3 V. c. 51, s. 4—8 V. c. 50—12 V. c. 81, ss. 116, 145—13, 14 V. c. 64, A 8.	
265	12 V. c. 81, s. 41, No. 8; ss. 116, 145—3 V. c. 51, s. 4.	
266	New.	
267	1 to 5	12 V. c. 81, s. 41, Nos. 3, 4, 5—16 V. c. 181, s. 15, No. 4—20 V. c. 6, s. 1.	
268	20 V. c. 68, s. 1—16 V. c. 181, s. 15, No. 4.	
269	" s. 2.	
270	" s. 3.	
271	" s. 4—13, 14 V. c. 64, s. 17.	
272	" s. 5.	
273	New.	
274	2 to 62	12 V. c. 81, s. 31, No. 9; s. 60, Nos. 2, 3, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 18, 20; s. 81, No. 5; s. 15, No. 3; s. 81, Nos. 4, 6; ss. 141, 142, 138—13, 14 V. c. 64, A 14—14, 15 V. c. 109, A 9—16 V. c. 181, s. 15, No. 1.	
275	New.	
276	12 V. c. 81, s. 136.	
277	1 to 12	12 V. c. 81, s. 81, Nos. 1, 2, 11; s. 107 Nos. 2, 139, 140—10, 11 V. c. 41, s. 4—16 V. c. 181, s. 15, Nos. 1, 3.	
278	12 V. c. 81, s. 42.	
279	" s. 43.	
280	" s. 47.	
281	" s. 48.	
282	" s. 49.	
283	" s. 50.	
284	" s. 137.	

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265	1 to 15	12 V. c. 81, ss. 42, 50, No. 1; s. 51, Nos. 1 to 5.	
286		New. See 13, 14 V. c. 64, A 20—13, 14 V. c. 65, s. 9.	
287	.....	"
388	.....	" See 13, 14 V. c. 65, ss. 6, 7.	
289	.....	" See " " s. 8	
990	.....	" See 16 V. c. 184, s. 3, No. 5.	
291	.....	"
292	.....	"
293	.....	New, 2 Geo. 4, c. 8, s. 1,	
294	.....	" 14, 15 V. c. 120, ss. 2, 3,	
295	.....	" 33 Geo. 3, c. 13, s. 3,	
296	.....	" 4 W. 4, c. 18, s. 1,	
297	.....	" 14, 15 V. c. 120, s. 1.	
298	.....	12 V. c. 81, s. 31, No. 10—14, 15 V. c. 109, A 5—50 Geo. 3, c. 1, s. 12.	
299	.....	"
300	.....	"
301	.....	"
302	.....	" s. 41, No. 11; s. 60, No. 1; ss. 193, 191—14, 15 V. c. 109, A 10.	
303	.....	" s. 192—13, 14 V. c. 64, A 34.	
304	.....	"
305	.....	" s. 189.	
306	.....	" s. 39.	
307	.....	" s. 39.	
308	.....	" s. 39.	
309	.....	" s. 39.	
310	.....	" s. 38.	
311	.....	" ss. 37, 191—14, 15 V. c. 109, A 26.	
312	.....	" ss. 190, 13—13, 14 V. c. 64, s. 7.	
313	1 to 6	12 V. c. 81, s. 31, No. 10; ss. 187, 14, 60, No. 17; s. 31, Nos. 9, 10; s. 41, Nos. 11, 15; s. 31, No. 10—13, 14 V. c. 64, A 33—20 V. c. 6; s. 1—16 V. c. 181, s. 9, No. 2; s. 14—20 V. c. 69, s. 2—14, 15 V. c. 109, A 10—20 V. c. 1—16 V. c. 181, s. 15, No. 2	
314	1 to 3	12 V. c. 81, s. 31, Nos. 11, 16; ss. 187, 188—13, 14 V. c. 64, A 33—20 V. c. 69, s. 26, A 25.	
315	.....	12 V. c. 81, s. 31.	
316	.....	"
317	1 to 3	12 V. c. 81, s. 31 Nos. 9, 10, 11; s. 41, Nos. 10, 11, 12; s. 60, No. 1; ss. 187, 188—13, 14 V. c. 64, A 33—20 V. c. 69; ss. 4, 5—16 V. c. 181, ss. 32, 35—14, 15 V. c. 109, A. 10, 25.	
318	.....	12 V. c. 81, s. 31.	
319	.....	" 8 V. c. 20, s. 15.	
320	.....	" 9 V. c. 8, s. 1—12 V. c. 81, s. 192—13, 14 V. c. 64, A 34.	
321	1 to 4	"	
322	.....	" ss. 31, 113, 119; 126, 187—13, 14 V. c. 64, A. 33.	
323	.....	" ss. 31, 195—14, 15 V. c. 109, A. 27, 28—16 V. c. 181; s. 33.	
324	.....	" s. 31—16 V. c. 81, s. 36.	
325	.....	" s. 31.	
326	.....	" s. 31.	
327	1 to 3	" s. 31, Nos. 17, 18; s. 41, Nos. 18, 19; s. 191—13, 14 V. c. 64, A 5—14, 15 V. c. 109, A 26.	
328	1 to 3	" s. 31, Nos. 13, 15; s. 41, No. 13; s. 60, Nos. 17, 21, 22; s. 188; s. 191—13, 14 V. c. 64, A 9—14, 15 V. c. 109, s. 26, A 31—15 V. c. 181, s. 32.	
329	1 to 2	12 V. c. 81, s. 60, No. 5; s. 188—13, 14 V. c. 64, A 9—14, 15 V. c. 109, A 25—16 V. c. 181, s. 32.	
330	1 to 5	" s. 31, Nos. 27, 28—14, 15 V. c. 109, A 6—16 V. c. 181, s. 16—20 V. c. 6, s. 1.	
331	1 & 2	20 V. c. 6, s. 1.	
332	13, 14 V. c. 15, ss. 1, 2.	
333	" ss. 1, 2.	
334	1 to 5	" ss. 1, 2—12 V. c. 81, s. 60, Nos. 3, 4.	

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335	1 to 4	14, 15 V. c. 109—16 V. c. 181, s. 9, No. 6; s. 31—14, 15 V. c. 51, s. 18.
336	12 V. c. 81, s. 188—16 V. c. 181, s. 9, No. 6; s. 32—14, 15 V. c. 109, A 25.
337	14, 15 V. c. 51, s. 18, No. 4.
338	16 V. c. 181, s. 9, No. 6.
339	1 to 13	12 V. c. 81, ss. 196, 197.
340	1 to 3	“ s. 31, Nos. 4, 19, 23—1. V. c. 21, s. 32.
341	1 to 17	“ s. 31, No. 24—1. V. c. 21, ss. 33, 34.
342	“ s. 85—13, 14, V. c. 64, s. 9.
343	“ s. 109—16 V. c. 181, s. 22.
344	“ ss. 131, 135—13, 14 V. c. 64, A 6—16 V. c. 181, s. 26—14, 15 V. c. 109, A 7.
345	“ s. 81, No. 1; ss. 86, 87—13, 14 V. c. 64, A 16.
346	“ s. 86.
347	“ s. 75—13, 14 V. c. 64, A. 13—14, 15 V. c. 109, A 13.
348	New.
349	12 V. c. 81, s. 113.
350	12, V. c. 81, ss. 69, 81, No. 1.
351	“ ss. 93, 99, 100—13, 14 V. c. 64, A. 18.
352	“ ss. 70, 104.
353	“ s. 104.
354	“ s. 104.
355	“ s. 104.
356	“ ss. 104, 105.
357	“ ss. 73, 103, 173—16 V. c. 181, s. 21.
358	“ s. 94.
359	“ ss. 96, 98.
360	“ s. 97.
361	“ s. 101.
362	14, 15 V. c. 117.
363	New.
364	14, 15 V. c. 109, ss. 27, 28.
365	“ s. 32.
366	“ s. 27.
367	“ ss. 29, 30.
368	“ s. 30.
369	“ s. 31.
370	12 V. c. 81, s. 186.
371	“ s. 95—13, 14, V. c. 64, A 19.
372	“ s. 88—13, V. c. 64, A 17.
373	“ ss. 74, 88—13, 14 V. c. 64, A 17.
374	New.
375	12 V. c. 81, ss. 71, 102.
376	“ s. 102.
377	New.
378	“
379	“
380	“
381	“
382	“
383	“
384	12 V. c. 81, s. 68.
385	“ ss. 68, 81, No. 1; s. 92.
386	“ s. 81, No. 1, 200.
387	“ s. 200.
388	“ s. 107. No. 1.
389	12 V. c. 78, s. 23.
390	12 V. c. 81, s. 60, No. 11—13, 14 V. c. 64, s. 10—14, 15 V. c. [109, A 7—10, 11 V. c. 41, s. 3.
391	12 V. c. 81, s. 60, No. 11—10, 11 V. c. 41, s. 5.
392	“ “ “ s. 6.
393	10, 11 V. c. 41, s. 6.
394	13, 14 V. c. 64, s. 10.

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395	12 V. c. 81, s. 60, No. 11—13, 14 V. c. 64, s. 10.
396	7 W. 4, c. 24.
397	1 to 4	“
398	“ 16 V. c. 181, s. 20.
399	“
400	1 to 2	12 V. c. 81, ss. 139, 140.
401	.....	New. See 32 Geo. 3, c. 8, s. 14.
402	.....	“ See “ s. 14.
403	.....	12 V. c. 81, s. 107, No. 1.
404	1 to 16	New.
405	New 12 V. c. 81, ss. 201, 202, 203, 205—16 V. c. 181, s. 34—
406	12 V. c. 80, s. 1.
407	New 12 V. c. 81, ss. 114, 156, 176—
408	“
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