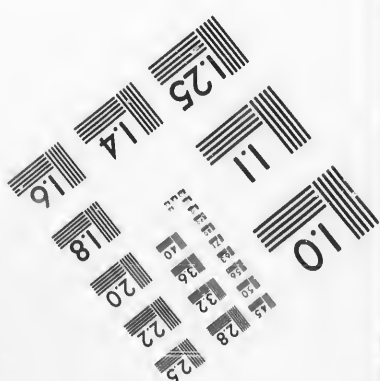
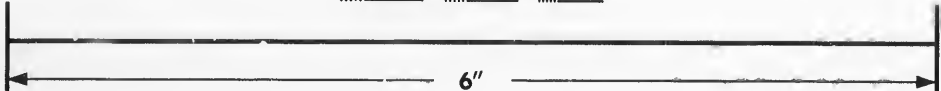
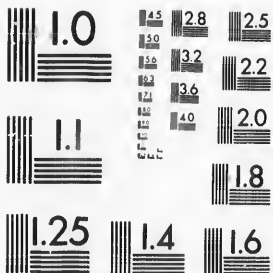


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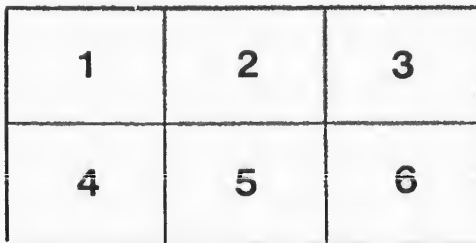
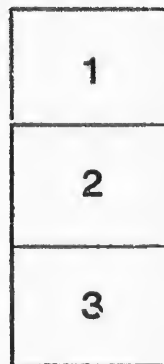
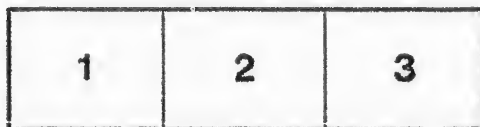
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STANDING

RULES AND REGULATIONS

OF THE

MUNICIPAL COUNCIL

OF THE

DISTRICT OF JOHNSTOWN,

TOGETHER WITH THE

B Y - L A W S,

OF THE SAME BODY,

Passed at its First, Second, Third, Fourth, and Fifth Sessions :

AND THE

REPORTS OF COMMITTEES,

ADOPTED BY THE COUNCIL AT THE SAME SESSIONS.

Andrew A. Buell's.

BROCKVILLE:

PRINTED AT THE STATESMAN OFFICE,

April, 1843.

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STANDING RULES.

I. That the Municipal Council do meet at 9 o'clock in the forenoon, and if at that hour there is not a Quorum, the Warden may take the Chair and adjourn to a certain hour on the same or the following day.

II. That whenever the Warden is obliged to adjourn the Council for want of a Quorum, the hour at which such adjournment is made, and the names of the Councillors present, shall be inserted in the Minutes.

III. That immediately after the Warden shall have taken the Chair, the Minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected.

IV. That the Warden shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council.

V. That every Councillor previous to his speaking, shall rise from his seat, and address himself to the Warden.

VI. That when a Councillor is speaking, no other member of the Council shall hold discourse to interrupt him.

VII. That a Councillor called to order by the Warden shall sit down, unless when permitted to explain; and when two or more members rise at once, the Warden or person presiding (subject to an appeal to the Council, if demanded) shall name the member who is first to speak.

VIII. That no Councillor shall speak more than once on the same question, without leave of the Council, except the mover, who shall have a right to reply.

IX. That upon a division on any question in the Council, the names of those who vote for, and of those who vote against

the question, shall be entered upon the Minutes, if any Councillor require it.

X. That no question shall be debated or put, unless the same be in writing and seconded.

XI. That all questions shall be put in the order in which they are moved.

XII. That every motion, when seconded, shall be read by the Warden.

XIII. That every By-Law shall be introduced by a motion for leave, specifying the object of it—or by a motion to appoint a Committee to prepare and bring it in—or by an order of the Council on the report of a committee.

XIV. That every By-Law shall receive three several readings at length, each on different days, previous to its being passed, except on urgent occasions.

XV. That the time of each meeting, and of the passing of every By-Law shall be certified on the back thereof by the Clerk.

XVI. That every Member of the Council, who shall introduce a Bill, Petition or Motion, upon any subject which may be referred to a Select Committee, shall be one of the Committee, without being named by the council.

XVII. That all persons whose interest or property may be affected by any proposed By-Law, may appear in person, or by Agent, before the Council or Committee appointed to consider the By-Law.

XVIII. That Petitions and other papers addressed to the Council, shall be presented by a Councillor in his place, immediately after the reading of the Minutes, who shall be answerable to the Council that they do not contain improper or impertinent matter. All such petitions and papers shall be read by the Clerk when present.

XIX. That the mode of appointing Special or Standing Committees shall be for each Councillor in his place to name one, which shall be written down by the Clerk. Those who have most voices shall be taken successively until the number agreed on is completed.

(Signed) W. MORRIS,
Warden.

BY-LAWS.

I.—*BY-LAW of the Municipal Council of the District of Johnstown relating to Statute Labour.*

The Council of the District of Johnstown duly Preamble.
assembled in Council, in the Town of Brockville, on
Wednesday the Ninth day of February, in the year
of our Lord one thousand eight hundred and forty-
two, in virtue of an Act passed in the 4th and 5th
years of the reign of Her Majesty Queen Victoria,
entitled "An Act to provide for the better internal
government of that part of this Province which for-
merly constituted the Province of Upper Canada,
by the establishment of Local or Municipal Author-
ities therein," do ordain and enact the following
By-Law, and it is hereby enacted, That all persons
within the said District, who are now, or may here-
after be liable to perform Statute Labour, shall be
at liberty to do and perform such statute labour, un-
der such restrictions, regulations and enactments as
are hereinafter contained.

SECTION 2. That where the labour is not done
and performed either by the person, who in law,
is liable to do and perform the same, or by some one
or more of his or her children, domestics or servants,
it shall be the duty of every such person so neglecting
or refusing, and he or she is hereby required within
eight days notice to that effect from the overseer of
the division, to pay into the hands of such overseer,

To be in lieu
of labour.

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the sum of Two Shillings and Six Pence, in lieu of every day's labour, which he or she was liable in law to have done and performed.

Notice of attendance.

SECTION 3. That a notice, whether verbal or written, from the Overseer of Roads for the Division, delivered personally to any individual liable to perform statute labour, or to the wife, child, servant or other domestic of such individual, (such child, servant or domestic, being of the full age of twelve years,) shall be deemed to be a good and sufficient notice; provided that the same be delivered as aforesaid at least eight days before the day when his or her statute labour is required to be done and performed; provided also, that in such notification as aforesaid, the Overseer shall state the day and the place at which he shall require the attendance of such person, together with the description of spade, shovel, scraper, axe, pick, hoe, crow-bar, hammer, plough, or other tool or implement, which he will be required to bring with him, (if within his possession or procurement) to aid in the performance of such statute labour as aforesaid.

Description of implement.

8 hours to be a day.

SECTION 4. That a lawful day's Statute labour shall be of eight hour's duration, viz. from Eight o'clock in the morning, to Twelve o'clock noon, and from one o'clock in the afternoon to five o'clock in the evening.

When to be performed.

SECTION 5. That no statute labour shall be done or performed before the first day of June or after twenty-fourth day of July of each year, except for the repair of some bridge broken down, or public highway interrupted by floods of water, falling of timber, or other unexpected impediment; or except with the express sanction in writing of the District Councillor or Councillors for the Township.

Fine for default.

SECTION 6. That any person bound by law to perform statute labour, who shall neglect or refuse

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(after due notice from the Overseer) to obey the lawful orders of such Overseer, in the performance of such statute labour, or in the payment of the commutation money in lieu of such labour, as aforesaid, shall, in addition to the amount of default for labour, be subject and liable to a fine, not exceeding two shillings and six pence for such neglect or refusal.

SECTION 7. That no person liable to perform statute labour shall be considered as having performed the same, until he or she shall have received a discharge from the Overseer of the Division in which he or she is bound to perform such labour, which discharge shall be in one or other of the forms following, that is to say :

I certify that _____ of the Township of _____ in Road Division No. _____ has faithfully and honestly done and performed _____ days work, under my superintendance and inspection, _____ being the number of days which by law, he was bound and liable to perform statute labour.

Form of Discharge.

Overseer of Road Division No. _____

I certify that _____ of the Township of _____ in Road Division No. _____ has paid into my hands the sum of £ _____, being the amount of commutation money in lieu of statute labour, at the rate of Two Shillings and Six Pence per diem for _____ days labour, that being the number of days which by law, he is bound and liable to work.

Overseer of Road Division No. _____

SECTION 8. That all monies paid to the Overseers of Road Divisions, in lieu of statute labour, shall be paid by such Overseers, to the Clerk of the Township on or before the fourth day of October in every year, together with a return of the names of

All monies to be paid to the Town Clerk.

all persons within their respective Divisions entitled by law to perform statute labour, with the number of days for which each person respectively is liable, and which return shall be in the form following, that is to say :

Names of persons bound to perform statute labour in Division No. —	No. of days each person is bound to work.	Performed.	Performed in part.	Refused.	Commuted Amount.	Observations.
Total,						

which said Return shall be sworn to before some Justice of the Peace for the District of Johnstown, in the form following, that is to say :—

And sworn to.

I ———, Overseer of Road Division No.— do solemnly declare (or affirm, as the case may be) that the above return is true and faithful in all its particulars, to the best of my knowledge and belief. So help me God.

Certain powers vested in Councillors.

SECTION 9. That all the powers and authority heretofore vested in the Justices of the Peace, acting for their respective Divisions by the twentieth section of the first of Victoria chapter 21, entitled, "An Act to alter and amend sundry Acts regulating the appointment and duties of Township Officers," be hereafter vested in, and may be exercised by the Councillor or Councillors (as the case may be) representing their several and respective Townships within the Townships they may represent respectively, so far as the said powers and authority appertain to, or are connected with the appropriation, controul, management and distribution of the statute labour within their several and respective Townships.

W. MORRIS, *Warden.*

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a following,

II.—*BY-LAW of the Municipal Council of the District of Johnstown, to regulate the appointment of Surveyors of Highways.*

The Council of the District of Johnstown duly assembled in Council in the Town of Brockville on Saturday the twelfth day of February in the year of our Lord One Thousand Eight Hundred and Forty-two, by virtue of an Act passed in the fourth and fifth years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, That the persons hereinafter named, be appointed Surveyors of Highways, within the several and respective Townships of this District, having the same powers and authority, and subject to the same responsibilities, regulations and requirements, as the Surveyors of Highways heretofore appointed by the Justices of the Peace under and by virtue of an Act passed in the 50th year of the reign of His late Majesty, King George III., entitled "An Act to provide for the laying out, amending and keeping in repair the public Highways and Roads in this province, and to repeal the laws now in force for that purpose."

Preamble and powers of Surveyors of Highways.

Observations.

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| For the Township of Elizabethtown, | } | William K. Glazier | Names of Surveyors. |
| _____Yonge, | | Joha Morris. | |
| _____Augusta, | } | Philemon Pennock and Alexander McMillan. | |
| _____Edwardsburgh, | | Joha McIlmoyle and Levi Adams. | |
| _____Bastard, | | James Scofield & James Eaton. | |
| _____Kitley, | | Christ'r Gunnis & Geo. Hornick. | |
| _____Oxford, | | Tyrus Hurd. | |

Warden.

For the Township } of Elmsley, }	John Riddle.
————Leeds, Humphrey Young.	
————Lansdown, Surasten Soper.	
————South Crosby, Henry B. Marvin.	
————Wolford, Jno. L. Read & Sam. Ferguson.	
————South Gower,	
————North Crosby, James Bilton.	

Duration of
office.

SECTION 2. That the several and respective Surveyors of Highways herein before appointed, and their several and respective successors in office as such Surveyors of Highways, shall respectively continue in office as such Surveyors, until removed therefrom by resolution of the District Council, or by the removal from the Township, or the incapacity of the person appointed.

W. MORRIS, *Warden.*

III.—*BY-LAW to define the duties of Surveyors of Highways, and for other purposes therein mentioned.*

Preamble.

The Municipal Council of the District of Johnstown, duly assembled at the Town of Brockville, on the Fourteenth day of May, in the year of our Lord One Thousand Eight Hundred and Forty-two, under and by virtue of a certain Act of the Legislature of the Province, passed in the former and fifth year of Her Majesty's Reign, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of local or Municipal authorities therein," do ordain, and it is hereby ordained and enacted, That all and every of the persons appointed Surveyors of Highways for the Townships of Elizabethtown, Yonge, Bastard, Kitley, South Elmsley, Leeds,

Lansdown, South Crosby, North Crosby, and South Burgess, in the said District, under and by virtue of a certain By-Law passed at the last session of this Council, entitled "By-Law of the Municipal Council of the District of Johnstown, to regulate the appointment of Surveyors of Highways," shall be taken and considered as having been appointed such Surveyors of Highways in and for the County of Leeds, and that all and every of the persons appointed by the said By-Law for the Townships of Augusta, Edwardsburgh, Oxford, Wolford, and South Gower, in the said District, shall be considered as having been appointed such Surveyors of Highways in and for the County of Grenville.

SECTION 2. That the said Surveyors, before entering upon their duty, shall take and subscribe the Oath of office, pointed out by the second section of the Provincial Statute 50 Geo. III. cap. 1, and deposit the same in the office of the District Clerk; and after having been once sworn in this manner, they may continue to discharge their duty from year to year during their continuance in office.

Oath of office.

SECTION 3. That in all applications for the laying out of any new, or altering of any old road, or roads, eight days' previous notice shall be given by such Surveyors, before the sitting of the Council, at which the report of the survey is intended to be made.

8 days' notice.

SECTION 4. That no Surveyor of Highways shall receive any allowance for attending the Council, unless his Report shall be made at the opening of the Council, nor unless his conduct shall have been conformable to law, nor unless his report shall be made in the form following, that is to say :

District of Johnstown, } To the Municipal Council
 To Wit: } of said District in Council
 assembled :

Report of Surveyor.

I, _____, Surveyor of Highways in and for the County of _____ in the said District, beg leave to report; That on application in writing made to me by twelve freeholders of the said County of _____ bearing date the _____ day of _____ in the year one thousand eight hundred and _____ stating as follows: (here insert the petition verbatim with names of freeholders): I proceeded to examine the same, which I have surveyed, and laid out as follows, that is to say: (here insert the description of the road as surveyed): and I have made the said road _____ feet in width. I have further to state that I gave due public notice of this survey according to law, by affixing a copy of this report in *three* of the most public places next adjacent to the place where the aforesaid survey has been made. Dated at _____ this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

 Surveyor of Highways for the County of _____

Duty of Surveyors.

SECTION 5. That every Surveyor of Highways shall carefully enter in his report the requisition of the Freeholders *verbatim*, and act strictly according to it in making his report, and shall see that it is in conformity to the Statute, according to the words of which "*The requisition is to state that any public highway or road in the neighbourhood of the said freeholders now in use, is inconvenient and may be altered, so as better to accommodate Her Majesty's subjects and others travelling thereon, or that it is necessary to open a new highway or road.*"

Description of Road.

SECTION 6. That every such Surveyor shall lay down in the blank space left for that purpose, an accurate description of the new road intended to

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be laid out, or of the proposed alteration of the old road, giving the length and courses as correctly as possible, and stating whether the survey is marked out by blazes on trees, or with red chalk, or by stakes planted on the open ground.

SECTION 7. That the width of the road shall be stated in the survey, and exact copies of the report affixed in at least two public places near the road surveyed. Notice of Report.

SECTION 8. That every report shall be accompanied by a plan or diagram, and shall be personally presented to the Council by the Surveyor making any such survey, which shall be referred to the Committee on Roads with power to confirm, annul or modify the Report on enquiry into the necessity of establishing any such road or not, and to make such report thereon to the Council as the said Committee may conceive proper, and in case any opposition shall be made to any such survey, it shall be the duty of the party making such opposition to show before the said Committee that two days' notice of such opposition has been given before the sitting of the Council, to the Surveyor, who shall notify the petitioners of such opposition, so that they may be prepared to sustain their application for the establishment of such road. Powers of Road Committee.

SECTION 9. That no road hereafter to be laid out shall be more than *sixty-six*, nor less than *forty feet* in width, and on the alteration of any road, the new road shall not be laid out of a less width than the old one. Width of Road

SECTION 10. That in all cases the Surveyors of Highways shall mention in their reports and mark on their diagrams, the distance of all parallel roads, or roads nearly parallel, whether opened or not, from the one intended to be reported, or of other Parallel Roads

roads in the vicinity, noticing the termination of such road or roads required to be laid out, so that the Council or Committee thereof may be enabled to judge of the necessity of establishing the same.

Notice of compensation.

SECTION 11. That in all cases in which claims are made for compensation for land taken for roads established by the Council, the applicants for such compensation shall appear on the first day of the Session next after the establishment of such road or roads, to support their claim, on its being reported by the Surveyor of Highways according to law, and in order that the Council may know who are the parties to support any road so confirmed, Surveyors are required in their reports, when copying the petition for the alteration of an old road, or the laying out of a new one, to enter the names of the petitioners therein, and to give said petitioners notice that a compensation is claimed, so that they may also attend on the first day of the sitting of the Council next after the notice of such claim, given to the Surveyor of Highways.

Payment of compensation.

SECTION 12. That all claims for compensation for lands taken for roads established by the Council, shall, when lawfully reported by the Surveyor of Highways, be also referred to the Committee on Roads, who, after investigating the same, shall report to the Council what sum, if any, shall be allowed to the claimant, and whether the road is of a public or private nature; and in case they shall find that it is of a private nature, no order shall issue to open the same until the amount, if any, awarded by the said Committee after such compensation, shall be paid by the said petitioners; but in case they shall find that the road so established is of a public nature, then the amount fixed on for such compensation, shall be paid out of the funds of the District, and it shall be the duty of the Treasurer, and he is

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SECTION 13. That no Licensed Land Surveyor shall be employed by the Surveyor of Highways, unless by special order of the Council, on its being shown that it is necessary or useful to obtain the aid of such Land Surveyor in laying out or altering any road or highway.

Land Surveyors, when to be employed.

SECTION 14. That with respect to the sale of Land through which any old road may have passed, and other duties of Surveyors of Highways, reference must be had to the Provincial Statutes 50 Geo. 3, chap. 1, and 4 Geo. 4, chap. 10.

Reference to Statutes.

SECTION 15. That the following forms shall be used in all surveys and claims for compensation for land taken for roads :

Notice of opposition to Survey.

To Mr. ———, Surveyor of Highways in and for the County of ———. Take notice that I oppose the survey of the road made by you over my land, being Lot (or part of lot as case may be) No. ——— in ——— concession of, ——— and that I shall appear before the District Council at its next meeting for that purpose. Dated the ——— day of ——— 184 .

Certain Forms

Notice to Petitioners of opposition to Survey.

To ———
Take notice that ——— has this day given me notice that he intends to oppose the survey of the road made on your petition over his land, being Lot (or part of lot as case may be) No. ——— in ——— concession of ———, and that he will appear before the District Council at its next meeting for that purpose. Dated the ——— day of ——— 184 .

—————
Surveyor of Highways, for the County of ———

Notice of Compensation claimed.

To Mr. ———, Surveyor of Highways for the County of ———,

Take notice, that I shall apply to the next District Council for compensation for the road laid out by you over my land, being Lot (or part of lot as case may be) No. ——— in ——— concession of ———, and that I claim the sum of £—— for the land taken for said road, of which you are required to give notice to the petitioners and report this my claim to the said Council at its said meeting.

Dated the ——— day of ——— 184 .

Notice to be given to Petitioners of Claim for Compensation.

To ———

Take notice, that ——— has this day given me notice that he intends to apply to the next District Council for compensation for the road laid out by me on your petition over his land, being Lot (or part of lot as the case may be) No. ——— in ——— concession of ———, a copy of which notice is hereunto annexed.

Dated the ——— day of ——— 184 .

———,

Surveyor of Highways for the
County of ———.

Report to the Council of Claim for Compensation.

To the Municipal Council of the District of Johnstown, in Council assembled :

I, ———, Surveyor of Highways in and for the

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County of ———, beg leave to report that ———
 claims the sum of £—— for the land taken for the
 road surveyed by me on Lot (or part of lot as the
 case may be) No. ——— in ——— concession of ———
 which was reported and confirmed at the last
 meeting of the Council. Copies of the notices of
 compensation claimed given to me by the said
 ———, and of mine to the petitions are hereunto
 annexed.

Dated the ——— day of ——— 184 .

———, ———,
 Surveyor of Highways for
 the County of ———.

W. MORRIS, *Warden.*

*IV.—BY-LAW to provide for the vacating of the
 Seats of Members of the District Council in
 certain cases.*

WHEREAS it is expedient that the seats of Mem- ^{Preamble.}
 bers of the Council of this District, should be de-
 clared vacant in certain cases: Be it therefore en-
 acted and ordained by the Municipal Council of the
 District of Johnstown in Council assembled at the
 Town of Brockville on the eleventh day of Novem-
 ber in the year of Our Lord One Thousand Eight
 Hundred and Forty-Two, that whenever a select
 committee of this Council (for that purpose ap-
 pointed) shall declare that any Member of this
 Council is disabled by permanent mental or bodily
 infirmity, to discharge the duties of the office of a
 District Councillor, and such report shall be appro-
 ved and confirmed by two thirds of the whole num-
 ber of members entitled to sit in the Council, such
 member shall cease to act as such Councillor, and

his seat in the Council of the District shall be, and is hereby declared to be vacant ; and thereupon it shall be lawful for the Warden of the District to issue his warrant, in the form prescribed by law, to the Clerk of the Township to cause an Election to be held, in the manner and form prescribed by law in other cases of election, of a fit and proper person to fill the vacancy caused by the removal of the person so declared disabled from serving as aforesaid.

How to resign.

SECTION 2. That any member of the Council duly elected to represent any Township of the District, shall and may be at liberty to deliver in writing to the Warden, his resignation of the office of Councillor, which resignation, in writing, the Warden shall report to the Council at the first day of the meeting of the Council after the receipt by him of such resignation as aforesaid, and if two-thirds of the whole number of Members entitled to sit and vote in the Council of the District, shall concur in such resignation, then the seat of such Member shall be declared to be thereby vacated, and thereupon the Warden shall issue his Warrant to the Clerk of the Township, directing him to cause an election to be held in the manner and form prescribed by law in other cases of Election, of a fit and proper person to fill the vacancy caused by the resignation of the person so enabled to resign as aforesaid.

W. MORRIS, *Warden.*

V.—BY-LAW to provide for the filling up of vacancies in certain Township or Parish Offices.

Preamble.

WHEREAS, in certain Townships of this District, individuals have been appointed by the people, at their annual Town Meetings assembled, to fill the situation of Overseer of Highways ; and whereas,

shall be, and thereupon it shall be the duty of the District to be provided by law, to be made by the Council of the District, for the filling up of all vacancies that have occurred, or that may hereafter occur in the offices of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, or other Parish or Township Officer authorised by law, to be appointed by the inhabitant householders of each Township respectively, at their annual Town Meetings assembled: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville, in the said District, on the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That whenever a vacancy shall occur in the office of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, Surveyor of Highways, or other Township or Parish officer, as aforesaid, which vacancy was occasioned either by omission or neglect of appointment at the annual Town meeting, or if appointed, by the death, removal from the Township, or neglect or refusal of the person appointed to act as such Township or Parish officer, every such vacancy shall be supplied and filled by a proper person eligible in law to fill the office, to be chosen and selected by the Councillor or Councillors (as the case may be) representing the Township in which any such vacancy may occur, in the Council of the District, and every such person so appointed by the Councillor or Councillors (as the case may be) shall have full power to do all lawful acts, and to be obeyed in such office, as if he had been chosen and appointed by the inhabitant householders of every such Township at their annual Town meeting, as aforesaid.

the Council of the District shall deliver in writing to the office of the Warden, the first day of the month of September by him or two-thirds of them to sit and all concur in the election of thereupon the Clerk of the District an election as described by law and proper resignation as aforesaid.

Warden.

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in some cases such individuals, so appointed as aforesaid, have neglected or refused to act as such Overseers of Highways; and whereas it is desirable to provide by some general By-Law for that purpose, to be made by the Council of the District, for the filling up of all vacancies that have occurred, or that may hereafter occur in the offices of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, or other Parish or Township Officer authorised by law, to be appointed by the inhabitant householders of each Township respectively, at their annual Town Meetings assembled: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville, in the said District, on the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That whenever a vacancy shall occur in the office of Town Clerk, Assessor, Collector, Overseer of Highways, Pound-keeper, Surveyor of Highways, or other Township or Parish officer, as aforesaid, which vacancy was occasioned either by omission or neglect of appointment at the annual Town meeting, or if appointed, by the death, removal from the Township, or neglect or refusal of the person appointed to act as such Township or Parish officer, every such vacancy shall be supplied and filled by a proper person eligible in law to fill the office, to be chosen and selected by the Councillor or Councillors (as the case may be) representing the Township in which any such vacancy may occur, in the Council of the District, and every such person so appointed by the Councillor or Councillors (as the case may be) shall have full power to do all lawful acts, and to be obeyed in such office, as if he had been chosen and appointed by the inhabitant householders of every such Township at their annual Town meeting, as aforesaid.

To subscribe
Declaration.

SECTION 2. That no person appointed to any of the said offices by the Councillor or Councillors as aforesaid, shall be capable of exercising the duties of any such office, or of doing any matter or thing in pursuance of such appointment, until he shall have received an authority for so doing under the hand and seal of the Councillor or Councillors (as the case may be) by whom he shall have been chosen and appointed, nor until he shall have given all proper security, and taken and subscribed all oaths and declarations required by law to be taken by every such officer, when appointed by the inhabitant householders at their annual Town meetings assembled.

Same as if ap-
pointed by the
People.

SECTION 3. That whenever any person shall be appointed to any Township or Parish office, by any Councillor or Councillors within this District, in pursuance of this By-Law, he shall be subject to the same conditions, penalties and qualifications for the performance of the duties of every such office, as if appointed by the inhabitant householders at their annual Town meetings held pursuant to law.

Statute Labor.

SECTION 4. That in any Township, reputed Township or place, where it may have occurred that the statute labour has not been performed and done in the month of June during the present year, pursuant to law, the same shall be done and performed before the expiration of the month of November next, under the authority of the Overseer of Highways for the Division, any thing in any By-Law of this Council or usage to the contrary notwithstanding.

W. MORRIS,
Warden.

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VI.—*BY-LAW relating to the opening of Roads.*

WHEREAS many highways in this District upon Preamble. which statute labour has been done or public moneys expended, are obstructed, and whereas the allowance originally made by Government for public highways, are in many places unopened and impassable, and whereas it is desirable that all such roads should be opened to the public travel and convenience: Be it therefore ordained and enacted, and it is hereby ordained and enacted, by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May in the year of our Lord one thousand eight hundred and forty-two, that all Roads and Highways allowed and granted by the Executive Government, or upon which any public moneys or statute labour may have been expended, previous to the year of our Lord one thousand eight hundred and ten, by resolution, adoption of a Report, enactment of a By-Law, or other decision of this Council, declared a public road and highway, shall be, to all intents and purposes, and for all public use and convenience, considered a public road and highway, and as such shall not be obstructed or impeded by any person or persons whatever.

SECTION 2. That whenever any such road may be unopened or obstructed, as aforesaid, it shall and may be lawful for the Overseer of Highways for the Division in which any such road may be situated, to order and direct any amount of the statute labour within the Division for which he may be Overseer of Highways, to be expended thereon, as in his discretion he may think fit.

Overseer to direct labour to be expended.

SECTION 3.—That a certificate from the Clerk of the District, duly signed by that officer, signifying that such road hath been declared a public road and highway, by the Municipal Council of this Dis-

Certificate of Clerk.

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Warden.

strict, shall be deemed good and sufficient authority for the Overseer of the Division in the removal of obstructions, or in the opening of any such road as aforesaid, or in the expenditure of the statute labour thereon as aforesaid. W. MORRIS, *Warden.*

VII.—*BY-LAW to regulate the mode of opening of New Roads, the closing of old ones, and the altering of their course and direction.*

Preamble.

Requisition of
12 Freehold-
ers.

WHEREAS much public injury may be done, and private interests affected, by the opening of new roads, or by the closing of roads already allowed or travelled, or by altering or diverting of their course without due public notice being given: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, that no new road or highway shall be opened and declared to be a public highway and Road, nor shall any Government allowance, or other established or public Highway be closed, nor shall any alteration be made in the course or direction of any such Government allowance, or other public or established road or highway, without such opening or closing or alteration, as aforesaid, shall be requested by requisition from twelve freeholders of the District, duly signed and presented to a Surveyor of Highways requiring such opening, closing, or alteration aforesaid, nor until such opening, closing, or alteration as aforesaid, shall have been duly examined and reported upon by such Surveyor of Highways, which examination and report thereon, duly attested on oath or affirmation, shall be laid before the Council of the District and filed with the public papers and records of the same,

W. MORRIS, *Warden.*

VIII.

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VIII.—*BY-LAW of the Municipal Council of the District of Johnstown, to regulate the appointment and duties of Pound Keepers.*

THE Council of the District of Johnstown duly assembled in Council in the Town of Brockville on Friday the eleventh day of February, in the year of our Lord one thousand eight hundred and forty-two in virtue of an Act passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, That each and every Township shall be authorised to choose and elect at their annual Township Meetings so many fit and proper persons, to serve in the office of Pound Keeper, as in their discretion they may see fit, not to exceed twenty in any one Township.

SECTION 2. That each and every Pound Keeper shall erect and keep in repair in some suitable place to be selected for that purpose, a proper, safe and commodious Pound, to be built of good materials, not more than four inches apart from each other, the walls or fence thereof to be at least seven feet in height, from the earth's surface.

SECTION 3. That whenever any Horse, Mule, Cow, Ox, Bull, Steer, or Heifer, shall be impounded in any Pound of this District, the Keeper of every such Pound shall supply every such Horse, Mule, Cow, Ox, Bull, Steer, or Heifer, with at least fourteen pounds of good wholesome hay once in every twenty-four hours, during the confinement of every such Horse, Mule, Cow, Ox, Bull, Steer, or Heifer in every such Pound as aforesaid, and shall also at least once in every twenty-four hours as

Preamble.

Description of Pound.

Food & Drink for Cattle.

aforesaid, supply every such Horse or other animal as aforesaid with a sufficient quantity of good wholesome water for drink.

Food & Water

SECTION 4. That every Sheep, Goat, Hog, or other animal (not enumerated in the preceding clause of this By-Law) impounded in any Pound of this District, shall, during the period of their said confinement, be supplied by the Keeper of every such Pound with a sufficient quantity of good wholesome food and water, as in the discretion of every such Pound Keeper may be necessary for the maintenance and support of every such Sheep, Goat, Hog, or other animal as aforesaid.

Fees to Pound
Keepers.

SECTION 5. That the following fees and no more, be allowed to each Pound Keeper, by the party legally entitled to pay the same: For impounding any one or more Horse, Mule, Cow, Ox, Bull, Steer, Heifer, Sheep, Goat, Hog, or other animal, being the property of one person, the sum of One Shilling; For releasing any such animal or animals, being the property of one proprietor, from Pound, the sum of One Shilling; for food, watering and attendance on any such animal, Six Pence for every twenty-four hours; for Advertising any such animal or animals for sale, being the property of one person, the sum of One Shilling and Three Pence; for selling any such animal or animals, being the property of one person, at public auction, as provided by law, the sum of One Shilling and Three Pence.

Existing laws
continued.

SECTION 6. That any Pound Keeper now or hereafter appointed under the authority of this By-Law, shall be subject and liable to all the regulations, conditions, penalties, duties and requirements, imposed upon Pound Keepers by the laws of this Province, regulating the appointment and duties of Pound Keepers therein.

W. MORRIS, *Warden.*

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IX.—*BY-LAW of the Municipal Council of the District of Johnstown to enable the Clerk of the Council to issue Subpœnas in certain cases.*

THE Council of the District of Johnstown duly Preamble.
 assembled in Council in the town of Brockville on Saturday the twelfth day of February, in the year of our Lord one thousand eight hundred and forty-two, by virtue of an Act passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada by the establishment of Local Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, that whenever any claimant or respondent in any cause may require the attendance of any person or party to appear before this Council or any Committee thereof to testify and declare the truth, according to his knowledge, in any matter or any thing that may be brought before the said Council, or any Committee thereof, it shall and may be lawful for the Clerk of this Council to issue to any person applying therefor a Subpœna requiring the attendance of such person or party, as the case may be.

SECTION 2. That if any person or party shall Fine.
 neglect or refuse to obey such subpœna, he shall be fined any sum not less than Five Shillings, nor more than Five Pounds, in the discretion of the Justice or Justices before whom such witness or witnesses may be cited to appear.

SECTION 3. That the Clerk may charge to the Charge.
 party applying for the same, the sum of One Shilling and Three Pence, for every such subpœna which he may issue as aforesaid.

SECTION 4. That all fines that may be imposed

Application of
Fine.

under the provisions of this By-Law, together with all sums that may be paid for subpœnas, shall be paid to the Treasurer of the District, and shall go into and form part of the general revenues thereof, subject to the control, direction and application of the District Council.

Payment of
Witnesses.

SECTION 5. That in all cases in which witnesses shall have duly appeared to give evidence before this Council, or before any Committee thereof, either voluntarily or in obedience to a subpœna duly issued and served, the Council or Committee (as the case may be) before whom they shall appear to give evidence, shall order and direct such witness or witnesses to be paid for his, her or their loss of time and expenses, such sum or sums of money as the Council or Committee (as the case may be) shall deem just and equitable, which order the party or parties upon whom it shall be made are hereby required and directed to obey.

W. MORRIS, *Warden.*

X.—BY-LAW relating to certain Fees.

Preamble.

THE Municipal Council of the District of Johnstown duly assembled in Council in the Town of Brockville on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, under and by virtue of a certain Act of the Legislature of this Province passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada by the establishment of Local or Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, That each and every Councillor of the District, and also every Justice of the

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Peace for the District of Johnstown, shall at all reasonable hours, and upon proper application, have free access to the books, plans, records, and other documents, in the hands or keeping of the Clerk of the District Council, and also of the Treasurer of the District, without fee or charge of any kind for any such access or investigation.

SECTION 2. That any person, other than a Fee for search. member of the District Council, or a Justice of the Peace as aforesaid, who may require any such search, access, or investigation, of, or to, the books, plans, records, or documents, in the hands of the District Clerk, or District Treasurer, as aforesaid, shall pay for every such search, access or investigation, the sum of One Shilling, to be paid at the time of making such search or investigation as aforesaid.

SECTION 3. That all fees and emoluments How applied and to whom paid. collected by the Clerk of the District, or the Treasurer of the District, under and by virtue of this By-Law, be paid to the last named Officer, and be by him placed to the public credit, to and for the general uses and purposes of the District.

W. MORRIS, *Warden.*

XI.—BY-LAW of the Municipal Council of the District of Johnstown relating to the breach or violation of any By-Law.

THE Council of the District of Johnstown duly Preamble and amount of fine assembled in Council in the Town of Brockville on Saturday the twelfth day of February, in the year of our Lord one thousand eight hundred and forty-two, by virtue of an Act passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which for-

merly constituted the Province of Upper Canada by the establishment of Local or Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, That for any breach or violation of any By-Law now enacted, or that may be hereafter enacted by this Council, the person convicted thereof shall suffer and pay a penalty, not more than Five Pounds nor less than Five Shillings, in the discretion of the Court ordering the conviction, together with all reasonable costs incurred.

W. MORRIS, *Warden.*

XII.—*BY-LAW to refund certain monies therein mentioned.*

Preamble.

WHEREAS it hath been made to appear in evidence before a Select Committee of the Municipal Council of the District of Johnstown, appointed for that purpose, that certain sums of money had been paid through mistake, and in ignorance of the facts relating thereto, to the Treasurer of the said District of Johnstown, and whereas certain sums of money have been received by certain Collectors of the public rates and assessments in the notes of a certain Institution known and designated as the "Suspension Bridge Bank," which Institution at the time the said notes were so received as aforesaid, was legally authorized to issue them, and was then considered good and solvent, but has since failed and become insolvent: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, That out of any funds paid to and for the public uses of the District of Johnstown and remaining un-

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appropriated in the hands of the Treasurer, that officer be authorised to pay to the persons hereinafter mentioned, or to allow to them in their accounts with the District (if any such they may have) the several and respective sums hereinafter mentioned: D. Phillips & others.

To Daniel Phillips, late Collector for the Township of Yonge, the sum of Three Pounds and Five Shillings.

To Thomas Smith, Collector of the Township of Edwardsburgh, the sum of One Pound and Fifteen Shillings.

To William Cughan, of the Township of Yonge, Three Pounds and Five Shillings.

To Nicholas Hopkins, Collector for the Township of Elizabethtown, the sum of Sixteen Pounds Three Shillings and Five Pence Half-penny.

To Christopher Gunniss, Collector for the Township of Kitley, the sum of Nine Shillings and Twopence.

To Alexander Morris, Esquire, of the Town of Brockville, the sum of Two Pounds.

To Adiel Sherwood, Esquire, late Treasurer of the District, the sum of Five Pounds.

To James Kerker, of Gananoque, the sum of Nine Shillings.

To the Treasurer of the District of Johnstown, the sum of Fifteen Pounds, to make good to him that sum advanced to defray the expense of removing and conveying the destitute Insane persons hitherto maintained at the expense of the District to the temporary Lunatic Asylum at Toronto.

W. MORRIS, *Warden.*

XIII.—BY-LAW relating to Collectors of Rates in arrears for Taxes collected by them.

Preamble.

WHEREAS it appears that the Magistrates of the District of Johnstown in General Quarter Sessions assembled at the Town of Brockville by adjournment, on the fourth day of May in the year of our Lord one thousand eight hundred and forty-two, have, under and by virtue of the thirty-eighth section of the Statute of the late Province of Upper Canada, 1 Victoria, chap. 21, issued Distress Warrants against certain Collectors of Rates and their sureties, who appeared by the list of the Treasurer of said District, prepared and placed before the said Court on the day and year aforesaid, to be in arrears for rates due to the said District; And whereas the said Magistrates have expressed a doubt whether they still retain the powers contained in the said section of the said Statute, and in order to remove such doubt: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown in Council assembled on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, That the issuing of said Warrants by the said Court of Quarter Sessions be confirmed and declared valid, and that the said Court are hereby empowered to proceed in the collection of said rates so in arrears as aforesaid, under and by virtue of said Warrants.

Authority to Justices.

SECTION 2. That in future, said Court of General Quarter Sessions of the Peace for the said District, shall have full power and authority under and by virtue of the said section of the said Statute 1 Victoria, chap. 21, to issue Distress Warrants against all such Collectors of Rates and their sureties as may hereafter appear to be in arrear for the same time.

W. MORRIS, *Warden.*

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XIV.—BY-LAW to regulate certain Salaries and Allowances.

WHEREAS the public resources of the District ^{Preamble.} have been exhausted, and waste and expenditure has occurred in consequence of the want of uniformity in payments and strict economy in the management and expenditure of the District funds and revenues :

Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, That for the future, the following Salaries, per centages and allowances be paid to the undermentioned officers, and no more.

To James Jessup, Esquire, the sum of Three ^{Clerk.} hundred pounds per annum, which said salary of three hundred pounds is to be taken and considered as in full discharge for all fees, expenses and allowances for the offices held by him, of Clerk of the Council and Clerk of the Peace, and also in full discharge for office rent and fuel.

To Adiel Sherwood, Esquire, Sheriff, the sum of ^{Sheriff.} Fifty pounds per annum, which said sum of fifty pounds per annum is to be taken as in full discharge for summoning Juries, and for attending the Courts of Assize and Nisi Prius and General Gaol Delivery, and also the District Courts and Quarter Sessions.

To the Gaoler of the District, the sum of One ^{Gaoler.} hundred and twenty pounds per annum, which sum is to be in full discharge for all services of every kind performed for or on behalf of the District.

- Surgeon.** To the Surgeon of the District Gaol, the sum of fifteen pounds per annum, which sum is to be in full discharge for Medicine and attendance.
- Auditors.** To the Auditors of the District, the sum of Ten pounds per annum for each respectively, which sum is to be in full for their services as such Auditors.
- Surveyor.** To the Surveyor of the District the sum of fifteen shillings per diem, when actually employed by the Council.
- Treasurer.** To the Treasurer of the District, the sum of four per cent. per annum upon all moneys received and paid out by him for the public uses of the District, except moneys paid to and for the use of the public schools of the District, upon which he shall be paid the sum of three per cent. as provided by law.
- Coroners.** To each and every Coroner of the District, the sum of one pound for each and every Inquest which they may respectively hold, together with the further sum of six pence per mile, as travelling fees, for every mile which they may be respectively required to travel from their respective residences or usual places of abode, to any place within the District where an Inquest may be held.
- Town Clerks.** To each and every Township Clerk within the District, the sum of five pounds per annum, which sum is in full discharge for the duties of their office as such Town Clerk.
- Collectors.** To the Collectors for the several and respective Townships within the District, the amount of per centage at present allowed them by law, upon all moneys collected by them.
- Assessors.** To the several and respective Assessors within the District, the amount of per centage at present allowed them by law, together with an additional

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allowance equal to double the amount at present allowed them by law for taking the census of the population, which latter allowance is not to continue beyond the present year.

W. MORRIS, *Warden*.

XV.—BY-LAW to regulate the Bonds of certain Township Officers.

THE Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May in the year of our Lord one thousand eight hundred and forty two, under and by virtue of a certain Act of the Legislature of this Province, passed in the fourth and fifth years of Her Majesty's Reign, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein", do ordain and it is hereby ordained and enacted, That every Clerk duly appointed by the people, at their several and respective Township Meetings, held on the first Monday in January in every year, pursuant to the law in that respect made and provided, shall deliver to the Treasurer of the District, on or before the second Tuesday in February in each and every year, the Bond or Obligation required by law for such Township Clerk to enter into, execute and perform.

SECTION 2. That no Bond shall be received by the Treasurer from any Township Clerk within the District, nor from any Collector or other Officer from whom a Bond and Obligation is required by law, unless the same shall have been duly signed, sealed and executed in presence of at least two credible witnesses.

Execution of Bond.

W. MORRIS, *Warden*.

XVI.—*BY-LAW to regulate the mode in which certain deductions may be made from the Township Assessments.*

Preamble.

THE Municipal Council of the District of Johnstown duly assembled at the Town of Brockville on the fourteenth day of May in the year of our Lord one thousand eight hundred and forty two, under and by virtue of a certain Act of the Legislature of this Province passed in the fourth and fifth years of Her Majesty's reign, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein," do ordain, and it is hereby ordained and enacted, That whenever any Collector of the public rates and assessments shall desire to be allowed a deduction from the amount with which he stands charged, in consequence of his inability to collect the same, he shall deliver to the Treasurer of the District, in writing, the full amount he desires to have taken off and deducted, with the names of the parties in default, and the amount in detail, due by each defaulter respectively, together with an affidavit, sworn to before some Justice of the Peace for the District, and attached thereto, and of which affidavit the following shall be the form:—

Form.

District of Johnstown, } I, _____, Collector for
 TO WIT: } the Township of _____,
 make oath and say, that the several and respective sums set forth in the annexed paper, with the names of the parties attached thereto, have been taken from the Assessment Roll of the Township of _____, as returned to me for collection; that I have used all due diligence to collect the same, but have been unable to do so; and that I know of no legal means by which any of the sums therein stated can be recovered by me and secured to the public use. So help me God.

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SECTION 2. That upon the production to the Treasurer of any such statement in detail, together with the accompanying affidavit, that officer be authorised, and he is hereby authorised and required to allow to every such Collector, in his accounts with the public, whatever sum or sums may appear therein as uncollectable.

Authority to
Treasurer.

W. MORRIS, *Warden.*

XVII.—BY-LAW to provide for the payment of certain moneys applicable to Roads.

WHEREAS many sums of public money paid by Justices of the Peace to Overseers of Highways, Town Clerks, and other public officers, are unexpended and unaccounted for: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That all sum or sums of money paid to any Overseer of Highways within this District, for the purpose of being expended on the public highways, shall be paid over by every such Overseer of Highways to the Clerk of the Township in which he shall be an Overseer of Highways, within thirty days after its receipt by such Overseer.

Preamble.

SECTION 2. That it shall be the duty of every such Town Clerk once in every year, that is to say, on or before the first day of May, to apply to and to receive from the Treasurer of the District, all moneys that may be then in the hands of that officer, collected for wild land assessment, and applicable to the Roads and Bridges within the Township for which he shall be Clerk.

Town Clerk to
receive Road
moneys.

Returns to be made.

SECTION 3. That every Town Clerk within the District shall make a quarterly return of all moneys paid into his hands, for public use and purposes, to the Councillor or Councillors (as the case may be) representing the Township for which he may be Clerk, setting forth by whom paid, and for what purpose particularly.

To be paid to the District Councillors.

SECTION 4. That all moneys paid into the hands of any Township Clerk within this District, for the making or repairing of any public highway within the same, be paid over by every such Clerk to the order of the Councillor or Councillors (as the case may be) representing each and every Township in the Council of the District, to be by him or them expended within six months in the making or repairing of the public highways within the Township.

W. MORRIS, *Warden.*

XVIII.—BY-LAW to regulate the mode and manner of payments of all sums by the Treasurer of the District.

Preamble.

WHEREAS it is necessary for the future to pursue one settled and uniform practice in the payment of all sums required for the public use and purposes of the District: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown duly assembled at the town of Brockville on the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, That from and after the passing of this By-Law, no sum or sums of money shall be paid by the Treasurer of the District, or allowed to that Officer in his accounts with the public, unless it shall have been first certified by the Clerk of the District, that the

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said sum or sums as aforesaid were duly passed and ordered to be paid by the Council of the District.

SECTION 2. That upon the production to the Treasurer of any order, with the certificate of the Clerk as aforesaid, that officer be authorised, and is hereby authorised and required to pay the amount pursuant to the order and certificate, and which amount may appear therein to have been ordered and directed as aforesaid.

Certificate of Clerk.

SECTION 3. That the production by the Treasurer of any such order and certificate as aforesaid shall be considered by the District Auditors as a full discharge to the Treasurer for the payment from the public funds of whatsoever sum or sums may be contained in such order and certificate, and shall be allowed by such Auditors to the Treasurer in his account with the public.

Acquittance to Treasurer.

W. MORRIS, *Warden*.

XIX.—*BY-LAW of the Municipal Council of the District of Johnstown relating to certain duties of the Treasurer.*

THE Council of the District of Johnstown, assembled in Council in the Town of Brockville, on Saturday the fourteenth day of May, in the year of our Lord one thousand eight hundred and forty-two, by virtue of an Act passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted Upper Canada, by the establishment of Local or Municipal Authorities therein," do ordain and enact the following By-Law, and it is hereby enacted, That the Treasurer of the Johns-

Preamble.

town District shall and may close the respective accounts relating to Township Assessments made in the year of our Lord one thousand eight hundred and forty-one for the Townships of Augusta, Bastard, Burgess, Elmsley, Edwardsburgh, Kitley, rear of Leeds and Lansdowne, Marlborough, Montague, North Gower, North Crosby, Oxford, South Crosby, South Cower, Wolford, and Yonge, by entries in the said accounts, remitting the balance due from each Township as *uncollectable*, and thereupon shall and may cancel or deliver up the Collector's Bonds for the same respectively.

Confirmed.

SECTION 2. That the several payments which have heretofore been made by the said Treasurer of orders passed by this Council shall be deemed and taken to be valid and legal.

W. MORRIS, *Warden*.

XX.—*BY-LAW relating to the Assessment of the District of Johnstown for the year 1842.*

Preamble.

WHEREAS it is expedient that a sufficient sum should be raised in the District of Johnstown, to meet the current expenses of the District for the year of our Lord one thousand eight hundred and forty-two: Be it enacted by the Councillors of the District of Johnstown, in Council assembled, on the eleventh day of August in the year aforesaid, by virtue and under the authority of a certain Act of the Legislature of this Province, passed in the 4th and 5th years of the reign of Her Majesty Queen Victoria, entitled "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal Authorities therein," That for the year of our Lord one thousand eight hundred and forty-two, there be,

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by assessment, raised, levied and collected from and upon all the assessed real and personal property in the said District, according to the respective values assigned to the same by the assessment laws of that part of the said Province which formerly constituted the Province of Upper Canada, the sum of One Penny in the Pound.

SECTION 2. That the said Rates shall be equally apportioned by the proper Officer, on the said property, according to their respective values as aforesaid, and that the same shall be levied and collected by the Collectors for the several Townships, reputed Townships or places in the said District, in the manner as by law is now provided, and shall be paid by them to the Treasurer of the said District in the ordinary manner provided by law, which assessment, to defray the current expenses of the District as aforesaid, shall amount, in the aggregate, to the sum of £1678 16s. 9d., to be apportioned in the following manner and no other, that is to say : *First*, the sum of £555 6s. 11½d. for the expenses of levying, collecting, and managing the rates and taxes imposed on the District, being the first charge imposed by the 59th section of the Municipal District Council Act on the District Funds; that is to say :—

Equally apportioned and total amount.

First charge on District Funds.

For Assessors, average one per cent. on the rates collected in 1841, at one penny in the Pound,	£107	6	2½
For Collectors, average,	231	16	4½
For estimated loss by absentees and indigent persons,	121	14	4
For officer for making up Assessment Rolls, and other duties connected therewith,	94	10	0
	<u>£555</u>	<u>6</u>	<u>11½</u>

Second charge. *Second:* The sum of £582 15s. 0d. for the expenses connected with the administration of justice, under the following heads: Sheriff, Coroners, Clerk of the Peace, Surgeon of the District Gaol, Gaoler for the care, support, and keeping of prisoners; for Constables, for repairs to the temporary Court-House, for conveying felons to the Penitentiary, and for other incidental expenses connected with the administration of justice, as aforesaid, being the second charge imposed by law on the District Funds; that is to say:—

To the Sheriff for summoning Juries and attending Courts,	£ 50	0	0
For Coroners, on an average, per annum,	30	0	0
For the Clerk of the Peace,	102	15	0
For the Surgeon of the District Gaol,	15	0	0
For the Gaoler,	120	0	0
For the care, support, and keeping of prisoners,	100	0	0
For Constables (say 50), at £1 10s.,	75	0	0
For repairs of the temporary Court-House,	5	0	0
For conveying felons to the Provincial Penitentiary,	10	0	0
And for other incidental expenses connected with the administration of justice,	75	0	0
	<u>£582</u>	<u>15</u>	<u>0</u>

Third charge. *Third:* For debts due by the District before the first day of January, 1842, the sum of £——.

Fourth charge. *Fourth:* The sum of £207 for all sums now payable out of the funds of the District, for any public purpose whatsoever, other than before mentioned, and not within the scope of the powers of the Dis-

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istrict Council, being the fourth charge imposed by law on the District Funds ; that is to say :—

For the Treasurer's per centage, calculated on the same raised in 1841 by the rate of one penny in the Pound,	£ 65 10 0
For Township Clerks, 13 in number, at £5 each, per annum,	65 0 0
For Surveyor of Highways, calculated at an annual average,	36 0 0
For Bounty on the destruction of Wolves, calculated on amount paid in 1841,	40 10 0
	<u>£207 0 0</u>

Fifth: The sum of £333 14s. 10d. for the following expenses, and in the following order, being the Fifth charge. fifth charge imposed on the District Funds, and included in the aggregate sum first above mentioned ; that is to say :—

For two Auditors, at £10 each per annum,	£ 20 0 0
For Clerk of the District Council, per annum,	102 15 0
For Messenger and Constable in attendance (say two, for 5 days, at 5s. each per day),	10 0 0
For Printing, Postage, & Stationery,	60 0 0
For Repairs, Wood, Candles, Seal, and incidental expenses,	6 0 0
For District Surveyor, at 15s. pr day,	30 0 0
For internal improvements and contingencies,	104 19 10
	<u>£333 14 10</u>

SECTION 3. That the Salaries of all District Officers, and all sums to be paid under the autho- Quarterly pay-
ments, and to
be certified.

rity of the Council, except when otherwise provided for, shall be paid and payable under an order for that purpose made by the Council, and certified by the Clerk thereof, quarterly ; that is to say : on the third Tuesday in the months of February, May, August, and November, in each year, and that the said several orders and certificates shall be acquitted by the said officers, and others receiving the same, by giving duplicate receipts, one of which to be lodged with the Treasurer of the District, and the other to be lodged with the Auditors, for the purposes hereinafter mentioned.

Duplicate receipts.

SECTION 4. That the better to enable the Auditors of the District to audit the accounts of the same, it shall be absolutely necessary for all public officers and others, paying money into the Treasury, to receive duplicate receipts for the same, one of which every person so paying moneys as aforesaid into the Treasury, shall keep himself, and shall lodge the other with the Auditors of the District, after which he shall be deemed to be fully discharged.

Balance to be accounted for.

SECTION 5. That any balance remaining in the hands of the Treasurer from taxes heretofore, now, or hereafter to be raised in this District by virtue of this or any other Act, By-Law, or Ordinance, shall be accounted for in a regular manner, and carried into the accounts for the following year, to the credit of the District.

Deficiency to be made up.

SECTION 6. That if it shall so happen, that the whole sum provided for by this By-Law, or by any other Act or Ordinance heretofore made for the current expenses of the District, shall fall short of the same in this present year, that the deficiency shall be made up in the ensuing year, in the usual manner, under the usual heads, and in the order required by law, as it now stands.

W. MORRIS, *Warden.*

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XXI.—BY-LAW to provide for the Assessment of
the Wild Lands in certain Townships therein
mentioned.

WHEREAS the inhabitants of the Townships of Preamble.
Yonge, Escott, Lansdown, Leeds, Bastard, and
South Crosby, in the District of Johnstown, have
by petition to the Provincial Parliament, and also
to this Council, prayed that measures may be taken
to render navigable the waters connecting the town
of Beverly, in the township of Bastard, with the
Rideau Canal, by the Whitefish Falls, in the town-
ship of South Crosby, and also the said waters flow-
ing from Beverly, aforesaid, to the St. Lawrence
River, by Lyndhurst, Charleston, and Gananoque ;
and whereas it is highly desirable and necessary
that steps should be taken to carry the proposed
improvements, so much desired and prayed for by
the people, into effect : Be it therefore enacted and
ordained, and it is hereby enacted and ordained by
the Municipal Council of the District of Johnstown,
in Council assembled, on the eleventh day of Au-
gust in the year of our Lord one thousand eight
hundred and forty-two, that for the purposes afore-
said, there be raised, levied, and assessed, on all
lands within the said townships of Yonge, Escott,
Lansdown, Leeds, Bastard, and South Crosby, un-
occupied and unassessed, instead of the absentee
wild land and road tax for District purposes and
local improvements, the rate of one penny for each
and every acre of land liable to assessment within
the said townships, which rate shall commence
from and after the first day of July in the year of
our Lord one thousand eight hundred and forty-two,
and shall be paid to the Treasurer of the District,
and which assessment shall not exceed the sum of
Five Hundred Pounds in any one year.

SECTION 2. That in default of payment of the Default to be
collected by
Law.
said rate of one penny for each and every acre

of land unoccupied and unassessed, within the said Townships of Yonge, Escott, Lansdown, Leeds, Bastard and South Crosby, the same shall be collected by the Treasurer of the District, under the provisions of the several Statutes of the late Province of Upper Canada, passed for the purpose of levying, assessing, and collecting the absentee wild land tax.

Unoccupied
land to be as-
sessed.

SECTION 3. That the unoccupied lands of each and every inhabitant of any of the said Townships, situated in the Township in which any such inhabitant may reside, shall be subject to the same tax as unoccupied lands mentioned in the first section of this By-Law are subject to, and shall be rated for the same, on the Assessment Rolls of their respective Townships, and shall be collected by the Treasurer, in the manner and form pointed out by the second section of this By-Law.

W. MORRIS, *Warden.*

XXII.—BY-LAW relating to the Governing Boundary of the Township of Edwardsburgh.

Preamble.

WHEREAS the inhabitants of the Township of Edwardsburgh have, by petition, represented the great loss, uncertainty and inconvenience they are subjected to, in consequence of having no accurate or ascertained Governing Boundary Line for that Township; and whereas it is important to effect an object so necessary and desirable, to procure the concurrence of the Eastern District in making a survey, to ascertain such Governing Boundary Line as aforesaid: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, assembled at the Town of Brockville on the fourteenth day of May, in the year of our Lord one thousand

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eight hundred and forty two, That JOHN BOGERT, Esquire, be authorised and empowered to apply to Her Majesty's Court of Queen's Bench in that part of this Province formerly called Upper Canada, for a Mandamus or Writ of Prerogative, requiring the Justices of the Peace to shew cause why they should not appoint an Agent for and on behalf of that District, to meet a similar officer for and on behalf of the Johnstown District, in order that such survey may be completed according to law.

SECTION 2. That the just, legal and necessary ^{Payment.} expenses attending such application, and arising thereout or therefrom, be paid by the Treasurer of the District, out of the general funds in his hands unexpended and unappropriated.

W. MORRIS, *Warden.*

XXIII.—*BY-LAW for establishing a Public Highway in the Ninth Concession of the Township of North Crosby.*

WHEREAS a Road has been surveyed and laid out ^{Preamble and description.} by James Bilton, Surveyor of Highways in and for the Township of North Crosby, commencing at the Town line of the Township of Bedford, and running from thence in a straight course with the side line between lots number twelve and thirteen in the ninth Concession of North Crosby, to a post planted and marked as the centre of a road, on or near the said side line or road leading from the said Township of Bedford, and from thence to a post planted and marked on the ninth concession line of the said Township of North Crosby, from thence on the old road, and in a direct line to a beech post, planted and marked in the centre of the road formerly travelled, to another post planted and marked in a line with the said old road, leading to the head of the West Rideau Lake; and whereas the

said road will be of public benefit and advantage: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, duly assembled at the Town of Brockville, on the fourteenth day of May in the year of our Lord one thousand eight hundred and forty-two, That the said road, so surveyed and laid out by the said James Bilton as aforesaid, be declared and established, and it is hereby declared and established, as a public Highway and Road.

W. MORRIS, *Warden.*

XXIV.—*BY-LAW to establish a Road in the Township of South Gower.*

Preamble and description.

WHEREAS a Road laid out by John R. Christie, Surveyor of Highways in and for the County of Grenville, commencing in the township of South Gower, at a post marked A, planted on the line in the open ground, west side of the main road that runs between lots 6 and 7, in the fourth concession of the said township, and thence in a course nearly parallel with the concession line west-south-west, crossing lots 7 and 8 to a post marked B, planted in the open ground near the Bridge crossing Beache's Mill-pond upon lot 9, and from thence to the main road running between South Gower and Oxford, the length of the road surveyed being about one hundred and seventy rods, has been reported by him to the Council: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, the eleventh day of August in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be confirmed, and the same is hereby confirmed.

W. MORRIS, *Warden.*

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XXV.—BY-LAW to establish a Road in the Township of Elizabethtown.

WHEREAS a Road laid out by Thomas Hill, Surveyor of Highways in and for the County of Leeds, commencing at the concession road between the ninth and tenth concessions of Augusta to a post marked B, between lots numbers one and two in the tenth concession of Elizabethtown, thence to a post marked D, on lot number two, thence commencing at the School House, at a post marked E, on lot number four, thence to a Cedar post marked F, between lots number five and six, thence to the middle of lot number six to a post marked G, the boundaries or posts being all planted on the south side of the said road, and which road is forty feet in width, has been examined by and reported upon to the Municipal Council of the District of Johnstown by the said Thomas Hill: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be approved of and confirmed, and it is hereby approved of and confirmed.

Preamble and description.

W. MORRIS, *Warden.*

XXVI.—BY-LAW to establish a Road in the Township of WOLFORD.

WHEREAS Samuel Ferguson, Surveyor of Highways in and for the County of Grenville, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the Township of Wolford; and whereas the said Samuel Ferguson has surveyed and laid out the said road pursuant to such

Preamble and description.

petition, as follows: commencing at the front of the fourth concession between lots numbers 10 and 11, and running between said lots until it intersects the fifth concession line, then east down said concession line half a mile, and from thence across lot number nine in the fifth concession, and from thence on as straight a line as the best land for making a road will permit, until it intersects the Prescott road at the residence of Robert Hair on lot number 1 in the ninth concession of the township of Oxford: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be, and the same is hereby declared to be a public road and highway.

W. MORRIS, *Warden.*

XXVII.—*BY-LAW to establish a Road in the Township of Oxford.*

Preamble and description.

WHEREAS Tyrus Hurd, Surveyor of Highways in and for the County of Grenville, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the township of Oxford; and whereas the said Tyrus Hurd has surveyed and laid out the said road pursuant to such petition, as follows: commencing at the public highway on the north side of the south branch of the River Rideau, between lots numbers 16 and 17 in the fourth concession of the township of Oxford aforesaid, thence running along the side line south thirty-six degrees, east thirty-two rods to the fourth concession line, thence along the side line in the fifth concession thirty-one rods and an half rod, then south forty-eight degrees, east along the south side of the south branch ninety-seven rods, opposite

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the falls, thence north fifty-four degrees, east twenty-two rods to the centre of number seventeen in the fifth concession, thence south thirty-six degrees, east through the centre of the fifth, sixth and seventh concessions of Oxford: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be, and the same is hereby declared to be a public road and highway.

W. MORRIS, *Warden.*

XXVIII.—*BY-LAW to establish a Road in the Township of Oxford.*

WHEREAS Tyrus Hurd, Surveyor of Highways in and for the County of Grenville, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the township of Oxford; and whereas the said Tyrus Hurd has surveyed and laid out the said road pursuant to such petition, as follows: commencing at the side road between lots numbers 15 and 16 in the centre of the fifth concession of Oxford, running north fifty-four degrees, east across lot number 16, then north thirty-six degrees, west twenty-nine rods, between lots numbers sixteen and seventeen, then north forty-four degrees, east forty-one rods, or until it intersects the road on the south-east side of the branch or falls: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be, and the same is hereby declared to be a public road and highway.

W. MORRIS, *Warden.*

Preamble and description.

XXIX.—*BY-LAW to close a Road in the Township of Elizabethtown.*

Preamble and description.

WHEREAS William K. Glazier, Surveyor of Highways for the County of Leeds, has been petitioned by twelve freeholders of the said County to close a certain Road in the Township of Elizabethtown, and whereas the said William K. Glazier has examined the said road pursuant to such petition, as follows: commencing at a point where the side line at the centre of lot number thirty-three in the fourth concession of Elizabethtown intersects the concession line between the fourth and fifth concessions of said Township, thence south-westerly about seven chains to the centre of the Creek, thence southerly about seventeen chains and fifty links, to where it intersects the new road near to the limit between lots numbers 33 and 34, and at about the distance of seventeen chains and eighty-six links from the rear of said concession: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville on the eleventh day of November in the year of our Lord one thousand eight hundred and forty two, That the said above described road be, and the same is hereby declared closed.

W. MORRIS, *Warden.*

XXX.—*BY-LAW to establish a Road in the Township of Oxford.*

Preamble and description.

WHEREAS a Road laid out by Tyrus Hurd, Surveyor of Highways for the County of Grenville, leading from Burritt's Bridge to Merrickville, across lot number one in the first Concession of Oxford, commencing at the west side line and running north seventy-five degrees, east one hundred and twenty

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rods, and marked by stakes or posts in the open line, the said road being forty-five feet in width, has been reported by him, the said Tyrus Hurd, as necessary for the public use and convenience: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said road laid out by the said Tyrus Hurd, as above described, be confirmed, and the same is hereby confirmed.

W. MORRIS, *Warden*.

XXXI.—*BY-LAW to establish a Road in the Township of Oxford.*

WHEREAS Tyrus Hurd, Surveyor of Highways in and for the County of Grenville, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the township of Oxford; and whereas the said Tyrus Hurd has surveyed and laid out the said road pursuant to such petition, as follows: commencing on the east side of the public highway, that is, leading from Kemptville to Prescott, then north forty-seven degrees, east eighty-one rods and an half rod, along a certain street laid down in the village of Kemptville, on lot number 27 in the third concession, then north fifty-four degrees, east fourteen rods, which intersects the above mentioned road: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be, and the same is hereby declared to be a public road and highway.

W. MORRIS, *Warden*.

Preamble and description.

XXXII.—*BY-LAW to establish a Road in the Township of Oxford.*

Preamble and description.

WHEREAS Tyrus Hurd, Surveyor of Highways in and for the County of Grenville, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the township of Oxford; and whereas the said Tyrus Hurd has surveyed and laid out the said road pursuant to such petition, as follows: commencing at the south side of the south branch of the River Rideau, on lot number 28 in the third concession, at the water's edge, then south thirty-six degrees, east thirty-nine rods, then north forty-nine degrees twenty-five rods and an half rod, across a Creek where a Mill-dam has been erected by Alfred Holmes and M. Barns, then south thirty-eight degrees, east eight rods and an half rod, on the east side of said Creek, then south fifty-eight degrees, east twenty-eight rods and an half rod, then south forty-nine degrees seventeen rods to the public highway that leads from Kemptville to South Gower: Be it therefore ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be, and the same is hereby declared to be a public road and highway.

W. MORRIS, *Warden.*

XXXIII.—*BY-LAW to establish a Road in the Township of Lansdown.*

Preamble and description.

WHEREAS Humphrey Young, Surveyor of Highways in and for the County of Leeds, has been petitioned by twelve freeholders of the said County to survey and lay out a Road in the Township of

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Lansdown ; and whereas the said Humphrey Young (having first given due notice according to law) did proceed to examine, survey, and lay out the said road pursuant to the prayer of the said petition ; and whereas the said Surveyor of Highways has been examined on oath, before a Committee of the Council appointed for that purpose, and has declared the opening and establishing of the said road to be necessary and convenient for the public use: Be it therefore enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said road, commencing at a post marked R, on the north side, planted in the side line between the road and lot number 19, in the third concession of the township of Lansdown, at about sixty-eight chains and fifty links from the front of the said third concession, thence north eighty-two degrees and fifty minutes, east magnetically about twenty-nine chains and seventy-five links to a post marked R on the west and north sides, thence parallel to the side line in said concession about fifty-three chains and sixty links to the allowance for road in rear of said third concession, which said described road is forty feet in width, be established, and the said road is hereby established as a public road and highway.

W. MORRIS, *Warden.*

XXXIV.—BY-LAW to establish a Road in the Township of Escott.

WHEREAS James Brooker, Surveyor of Highways in and for the County of Leeds, has been duly petitioned by twelve freeholders of the District to survey and lay out a Road in lieu of some parts of the Town line dividing the townships of Lans-

Preamble and description.

down and Escott, in consequence of such parts being impracticable and unfit for a road; and whereas the said James Brooker has complied with the prayer of said petition, and surveyed and laid out a road according to the following description; that is to say: commencing at the water edge on the River St. Lawrence, at the Town line, at a post planted on the east side of the said line, marked R on the east side, from thence running west of north four rods nine feet to a post marked R, from thence north-easterly thirteen rods to a post marked R, from thence running nearly the same direction to a post planted twenty-one rods distant, from thence running west of north to a blazed stump seven rods, thence west by north west to a beech tree marked R twenty-one rods, from thence to a hemlock standing in the Town line, marked R, thirteen rods more or less, from thence along the Government allowance, or Town line, eight rods south of a road leading to Larue's Mills, at a post planted on the west side of the allowance for road, and marked R as aforesaid, thence running west of north thirteen rods to a post planted, thence running parallel with said allowance to a post planted twelve rods distant and marked R on the east side, from thence north of east, eighty feet more or less, to the aforesaid Town line, thence along said line to the commencement of the second range, thence running east of north ten rods to a post planted and marked R on the west side, from thence in the same direction to a post planted eight rods distant, from thence west of north seven rods to the Town line, thence along said Town line to a hemlock tree twenty-five rods from John McCulloch's clearing, and marked R, from thence running east of north to a tree marked R twelve rods, from thence to the aforesaid Town line eight rods more or less, which said road is forty feet in width: Be it therefore enacted, and it is hereby ordained and enacted by the Municipal

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Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be approved of and confirmed, as a public road and highway.

W. MORRIS, *Warden.*

XXXV.—*BY-LAW to close a certain Road in the Township of North Crosby.*

WHEREAS James Bilton, Surveyor of Highways, in and for the County of Leeds has reported to the Council of the District of Johnstown, that in pursuance of a requisition to him presented by twelve freeholders of the said County, he has examined the Government allowance for road, commencing at the part of the seventh concession of the township of North Crosby, and running to the ninth concession between lots numbers 12 and 13 in the said township of North Crosby, and that he the said James Bilton, Surveyor of Highways as aforesaid, has condemned the said allowance for road: Be it therefore enacted, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the Government allowance as above described, is hereby condemned as unfit and unsuited for public use, travel or convenience.

Preamble and description.

W. MORRIS, *Warden.*

XXXVI.—*BY-LAW to establish a public highway in the Townships of Bastard and South Crosby.*

WHEREAS a Road has been surveyed and laid out by Henry B. Marvin, Road Surveyor in and for the

Preamble and description.

County of Leeds, commencing at the Town line in the Township of Bastard, that is to say: commencing or leaving the Portland Road at the angle between lots numbers 27 and 28 in the third concession of the township of Bastard on the allowance for road between the second and third concessions, thence on the aforesaid allowance to the township line between Bastard and South Crosby, thence from the termination of the said allowance for road angling across the corner of lot number 22 in the first concession of the said township of South Crosby nearly a southerly direction to a post planted near the said line between lots numbers 21 and 22 in the said first concession of South Crosby, thence running easterly across a part of said lot number 21 in the first concession of South Crosby leading to the public road to Newborough, where there is a post planted at the north west side of said new road; and that the said road be made forty feet wide: Be it therefore enacted and ordained, and it is hereby enacted and ordained by the Municipal Council of the District of Johnstown, duly assembled at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said road so surveyed and laid out by the said Henry B. Marvin, as aforesaid, be declared and established, and it is hereby declared and established as a public highway and road.

W. MORRIS, *Warden.*

XXXVII.—BY-LAW to establish a Road in the Township of Leeds.

Preamble and description.

WHEREAS a Road laid out by Surrasten L. Soper, Surveyor of Highways in and for the County of Leeds, commencing at a post planted in the open ground near the west side line of lot number 3 in

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the eighth concession of the township of Leeds, at Henry Wiltse's Landing on the bank of the Rideau Canal, and running from thence easterly across said lot to a small flow of water on the line between numbers three and four to a point of rocks on said line, then forming part of a small circle around the point of rocks on number four, about ten rods distant on to lot number three, from thence running south along the said side line to a post planted within sixty feet of the flow of water in front of said lot, then easterly along the side of said flow of water to a ridge of land near the centre of lot number four, forming a point into the flow of water, thence south across said flow of water to a post planted as the centre of the road, and intersecting the main travelled road leading to Kingston, the width of two and a half lots west from a side road leading to the ninth concession, and east of a road running nearly parallel across the corner of lot number three in the seventh concession to the Rideau Canal, has been examined by and reported on to the Municipal Council of the District of Johnstown by him the said Surrasten L. Soper: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the eleventh day of November in the year of our Lord one thousand eight hundred and forty-two, That the said above described road be approved of, and the same is hereby approved of and confirmed.

W. MORRIS, *Warden.*

XXXVIII.—BY-LAW to establish a Road in the Township of Yonge, formerly Escott.

WHEREAS John Morris, Surveyor of Highways Preamble and description.
in and for the County of Leeds, has been petitioned by twelve freeholders of the said County, to lay

out a certain Road in the Township of Yonge, formerly Escott; and whereas the said John Morris has surveyed and laid out the same road pursuant to such petition, as follows: commencing from the Queen's highway in rear of the eighth concession of the Township of Yonge, formerly Escott, running fifty-four rods between lots numbers 22 and 23, until obstructed by a ledge of rocks called Briar-hill, from thence, to avoid said obstruction, running forty rods easterly round a certain point of said ledge, bearing southerly, until it strikes the above mentioned line between numbers 22 and 23 in the eighth concession aforesaid, from thence running along said line six rods to a white birch tree which is blazed on four sides, from thence south-westerly three hundred and forty-two rods across numbers 22 and 21, following the blaze to the west side of number twenty-one, from thence following an old road across number twenty to the extremity of high rock point, and which road is forty feet wide: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That the above described road be approved of and confirmed, and it is hereby approved of and confirmed.

W. MORRIS, *Warden.*

XXXIX.—BY-LAW to establish a Road in the Township of South Crosby.

Preamble and description.

WHEREAS Henry B. Marvin, Surveyor of Highways in and for the County of Leeds, has been petitioned by twelve freeholders of the said County to lay out a Road in the Township of South Crosby; and whereas the said Henry B. Marvin has

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surveyed and laid out the said road, pursuant to such petition, as follows, that is to say: commencing on lot number eleven in the first concession of South Crosby at the road leading from the Beverly Lake, ten chains and seventy links from the side line between lots numbers eleven and ten in said concession; thence angling across lots number eleven and ten in a straight line to the front of the second concession; thence directly in the old track across number ten to the front of the third concession to a post planted two chains and thirty-eight links from the south-east corner of lot number ten, standing on the corner of number nine, and marked as north-west side of road, and from thence on to the Long Falls, which said road is forty feet in width: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the seventeenth day of February, in the year of our Lord one thousand eight hundred and forty-three, That the above described road be approved of and confirmed, and it is hereby approved and confirmed.

W. MORRIS, *Warden*.

XL.—BY-LAW to establish a Road in the Township of Yonge, formerly Escott.

WHEREAS James Brooker, Surveyor of Highways in and for the County of Leeds, has been petitioned by twelve Freeholders of the said County to lay out a certain Road in the township of Yonge, formerly Escott; and whereas the said James Brooker has surveyed and laid out the said road pursuant to such petition, as follows: commencing in the centre of lot number seventeen, in the fourth concession, and running westerly on a line of blazed trees to a hemlock tree marked R, one hundred

Preamble and description.

and forty-seven rods, more or less; from thence west by south to the town line, seven hundred and twenty rods more or less, and then connecting itself with the sixth concession of Lansdown, and which road is fifty feet in width:

Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That the above described road be approved of and confirmed, and the same is hereby approved of and confirmed.

W. MORRIS, *Warden.*

XLI.—BY-LAW to establish a Road in the Township of South Crosby.

Preamble and description.

WHEREAS Henry B. Marvin, Surveyor of Highways in and for the County of Leeds, has been petitioned by twelve Freeholders of the said County to lay out a certain Road in the Township of South Crosby; and whereas the said Henry B. Marvin has surveyed and laid out the said road pursuant to such petition, as follows, that is to say: commencing two chains and thirty-eight links from the south-east corner of lot number 10, in the third concession of South Crosby, on the corner of lot number 9 in said concession, thence across number 10, to a post marked as the north side of the road, in a westerly course, thence angling southerly in a straight course, to the allowance for road in front of fourth concession, by a stone standing on its end, inclining easterly, about three feet in height, and marked as the north-east side of the road, thence along the concession eastwardly to a post one chain and thirty-eight links from the corner of lot number 9 in the fourth concession, thence across the corner of num-

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ber 10, and then along the side line between 9 and 10 in said concession, to an ash tree marked as the south-east side of road, thence angling across number 9 to a maple tree marked as centre of road, thence in a straight line to a beech tree near the concession line, in front of the fifth concession, marked as the north-west side of road, thence leading southerly across lots number 9 and 8 in the fifth concession, through the Tamarack swamp, thence angling across lot number seven in said concession, and six in the sixth concession, in a straight line to Jones' Falls, to a pine stump marked as south-east side of road, which said road is forty feet wide : Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That the above described road be approved of and confirmed, and it is hereby approved of and confirmed.

W. MORRIS, *Warden.*

XLII.—BY-LAW to establish a Road in the Township of North Crosby.

WHEREAS James Bilton, Surveyor of Highways in and for the County of Leeds, has been petitioned by twelve freeholders of the said County to lay out a certain Road in the Township of North Crosby; and whereas the said James Bilton has surveyed and laid out the said road pursuant to such petition as follows, that is to say : commencing at the ninth concession line in North Crosby, and running on the side line between lots numbers nine and ten in the eighth concession to the post between said lots on the said concession ; then running from the post on the rear of the seventh concession between

Preamble and description.

lots numbers nine and ten, and following the side line between said lots to the front of the seventh concession to a post there planted and marked, and which road is forty feet in width: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the said District, in Council assembled, at the Town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That the above described road be approved of and confirmed, and it is hereby approved of and confirmed.

W. MORRIS, *Warden.*

XLIII.—*BY-LAW to impose Fines in certain cases.*

Preamble.

WHEREAS it is expedient and necessary to impose a fine on persons refusing or neglecting to perform the duties of the following offices: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, duly assembled at the Town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That from and after the first day of January, which will be in the year of our Lord one thousand eight hundred and forty-four, any person duly elected to either of the following offices who shall neglect or refuse to serve therein, without giving just cause (which cause is to be decided by the Court before whom the issue shall be tried) to the contrary, or who shall refuse to take and subscribe the oath or declaration required by law, shall forfeit and pay the fines and penalties hereinafter mentioned, that is to say:

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	£	s.	d.	Fines.
For refusing to serve as District Councillor,	10	0	0	
As District Auditor,	5	0	0	
As Township Clerk,	2	10	0	
As Township Assessor,	5	0	0	
As Township Collector,	5	0	0	
As Surveyor of Highways,	2		0	
As Overseer of Highways,	1		0	
As Poundkeeper,	1		0	

For neglecting to take or subscribe the oath or declaration of Office :

	£	s.	d.
As Township Clerk,	1	0	0
As Township Assessor,	1	0	0
As Township Collector,	2	0	0
As Surveyor of Highways,	0	10	0
As Overseer of Highways,	1	0	0

SECTION 2. That no one person shall be allowed to fill more than one of the offices hereinafter named, viz : Town Clerk, Assessor, or Collector.

W. MORRIS, *Warden.*

XLIV.—BY-LAW relating to the Assessment of the District of Johnstown for the year 1843.

WHEREAS it is expedient that a sufficient sum should be raised in the District of Johnstown, to meet the current expenses of the District for the year of our Lord one thousand eight hundred and forty-three: Be it enacted by the Municipal Council of the District of Johnstown, in Council assembled, on the seventeenth day of February in the year aforesaid, That for the year of our Lord one thousand eight hundred and forty-three, there be by assessment raised, levied, and collected, from and upon all the assessed, real and personal pro-

Preamble.

perty in the said District, according to the respective values assigned to the same by the assessment laws of that part of the said Province which formerly constituted the Province of Upper Canada, the sum of One Penny in the Pound.

Apportionm't
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Assessment.

SECTION 2. That the said rates shall be equally apportioned by the proper officer on the said property according to their respective values, as aforesaid, and that the same shall be levied and collected by the Collectors for the several townships, reputed townships, or places, in the said District, in the manner as by law is now provided, and shall be paid by them to the Treasurer of the said District, in the ordinary manner provided by law, which assessment to defray the current expenses of the District, as aforesaid, shall amount in the aggregate to the sum of £1678 16s. 9d., or upwards, to be apportioned in the following manner, and no other, that is to say :

First Charge. *First:* The sum of £555 6s. 11½d. for the expenses of levying collecting, and managing the rates and taxes imposed on the District, being the first charge imposed by the 59th section of the Municipal District Council Act on the District Funds; that is to say :

	£	s.	d.
For Assessor, average one per cent. on the rates collected in 1842, at one penny in the pound,	107	6	2½
For Collectors, average,	231	16	4½
For estimated loss by absentees and indigent persons,	121	14	4
For Officer making up Assessment Rolls, and other duties connected therewith,	94	10	0
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	£555	6	11½
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Secondcharge.

Second: The sum of £582 15s. 0d. for the expenses connected with the administration of Justice,

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under the following heads: Sheriffs, Coroners, Clerk of the Peace, Surgeon of the District Gaol, Gaoler, for the care, support, and keeping of Prisoners; for Constables, for repairs of the temporary Court House, for conveying Felons to the Penitentiary, and for other incidental expenses connected with the administration of justice, as aforesaid, being the second charge imposed by law on the District Funds, that is to say:

	£	s.	d.
To the Sheriff for summoning Juries and attending Courts,	50	0	0
For Coroners, on an average per annum,	30	0	0
For the Clerk of the Peace,	102	15	0
For the Surgeon of District Gaol,	15	0	0
For the Gaoler,	120	0	0
For the care, support and keeping of Prisoners,	100	0	0
For Constables, say 50, at £1 10s. 0d. each,	75	0	0
For repairs of temporary Court House,	5	0	0
For conveying Felons to the Provincial Penitentiary,	10	0	0
And for other incidental expenses connected with the administration of Justice,	75	0	0
	<u>£582</u>	<u>15</u>	<u>0</u>

Third: For debts due by the District, before the first day of January, 1843, the sum of £——. Third charge.

Fourth: The sum of £207 for all sums now payable out of the funds of the District for any public purpose whatsoever, other than before mentioned, and not within the scope of the powers of the District Council, being the fourth charge imposed by law on the District Funds, that is to say: Fourth charge

For the Treasurer's per centage, calculated on the sum raised in 1842, by the rate of one penny in the pound,	£	s.	d.
	65	10	0
For Township Clerks, 13 in number, at £5 each per annum,	65	0	0
For Surveyor of Highways, calculated at the annual average,	36	0	0
For Bounty on the destruction of Wolves, calculated on amount paid in 1842,	40	10	0
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	£207	0	0
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Fifth charge.

Fifth: The sum of £333 14s. 10d. for the following expenses, in the following order, being the fifth charge imposed on the District Funds, and included in the aggregate sum first above mentioned, that is to say :

For two Auditors, at £10 each per annum,	£	s.	d.
	20	0	0
For Clerk of the District Council per annum,	102	15	0
For Messenger and Constable in attendance (say 2 for 5 days, at 5s. each per day),	10	0	0
For Printing, Postage and Stationery,	60	0	0
For Repairs, Wood, Candles, and incidental expenses,	6	0	0
For District Surveyor at 15s. per day,	30	0	0
For internal improvements and contingencies,	104	19	10
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	£333	14	10
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Quarterly payments.

SECTION 3. That the salaries of all District Officers and all sums to be paid under the authority of the Council, except when otherwise provided for, shall be paid and payable, under an order for that purpose made by the Council, and certified by

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the Clerk thereof, quarterly, that is to say: on the third Tuesday in the months of February, May, August, and November, in each year, and that the said several orders and certificates shall be acquitted by the said officers and others receiving the same, by giving duplicate receipts, one of which to be lodged with the Treasurer, and the other to be lodged with the Auditors, for the purposes hereinafter mentioned.

SECTION 4. That the better to enable the Auditors of the District to audit the accounts of the same, it shall be absolutely necessary for all public officers, and others, paying money into the Treasury, to receive duplicate receipts for the same, one of which every person so paying money as aforesaid into the Treasury, shall keep himself, and shall lodge the other with the Auditors of the District, after which he shall be deemed to be fully discharged.

Duplicate Re-
ceipts.

SECTION 5. That any balance remaining in the hands of the Treasurer, from taxes heretofore, now or hereafter to be raised in this District, by virtue of this or any other Act, By-Law or Ordinance, shall be accounted for in a regular manner, and carried into the accounts for the following year, to the credit of the District.

Balance, how
to be applied.

SECTION 6. That if it shall so happen, that the whole sum provided for by this By-Law, or by any other Act or Ordinance heretofore made for the current expenses of the District, shall fall short of the same in this present year, that the deficiency shall be made up in the ensuing year in the usual manner, under the usual heads, and in the order required by law, as it now stands.

Deficiencies,
how to be
made up.

W. MORRIS, *Warden.*

XLV.—BY-LAW relating to the Inspection of Pot and Pearl Ashes.

Preamble.

WHEREAS by an Act of the Provincial Legislature, passed in the sixth year of Her Majesty's reign, entitled "An Act to regulate the Inspection of Pot and Pearl Ashes," the Municipal Council of the District of Johnstown in Council assembled, are authorised and empowered to appoint three fit, proper and skilful persons to act as a Board of Examiners, according to the provisions and conditions of the said above recited Statute: Be it therefore ordained and enacted, and it is hereby ordained and enacted by the Municipal Council of the District of Johnstown, in Council assembled, at the Town of Brockville, on the seventeenth day of February in the year of our Lord one thousand eight hundred and forty-three, That Henry Jones, Billa Flint, and William Matthie, do form a Board of Examiners.

Names of the Board.

Fee to be paid.

SECTION 2. That any person or persons applying for the situation of Inspector to the Board of Examiners as aforesaid, shall pay to the said Board of Examiners the sum of two pounds ten shillings, which said sum or sums so paid, shall be equally divided amongst the said Board of Examiners, which said sum or sums so paid, shall be in full compensation for their services.

W. MORRIS, *Warden,*

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REPORTS OF COMMITTEES.

DISTRICT SALARIES.

First Report of the Committee on District Salaries and Allowances.

The Committee to whom was referred the subject of Salaries and Allowances to District Officers, beg leave to make the following as their First Report :

THEY recommend, that for the future, the following Salaries, per centages and allowances, be paid to the undermentioned District officers, that is to say :—

To James Jessup, Esq., the sum of £300 per annum, which sum is to be taken as in full for all expenses, charges and allowances, for his offices as Clerk of the Peace, and Clerk of the Council, and also as in full for office rent and fuel.

To the Sheriff of the District, the sum of £30 per annum, which sum is to be in full discharge for all expenses of summoning Juries and attending the Courts of Assize and Nisi Prius, and also the District Courts and Quarter Sessions.

To the Gaoler of the District, the sum of £100 per annum, which sum is to be in full discharge for all his services of every kind performed for or on behalf of the District.

To the Surgeon of the District Gaol, the sum of £15 per annum, which sum is to be in full discharge for medicine and attendance.

To the Auditors of the District, the sum of £10 per annum for each respectively, which said sum is to be in full for their services as such Auditors.

To the Surveyor of the District, the sum of ten shillings per diem, when actually employed by the Council, which sum is exclusive of travelling expenses when employed out of the Town of Brockville.

To each and every Coroner of the District, the sum of £1 for each and every Inquest which they may respectively hold, together with the further sum of six-pence per mile, as travelling fees, for every mile which they may be required to travel from their residence, or place of usual abode, to the place where the Inquest may be held.

All of which is respectfully submitted.

(Signed) { OGLE R. GOWAN, *Chairman of Committee,*
JAMES SHAW,
MARTIN CASTLEMAN,
MILO McCARGAR,
JOHN HOLDEN.

Council Chamber, 10th May, 1842.

Second Report of the Committee on District Salaries and Allowances.

The Select Committee to whom was referred the subject of District Salaries and Allowances, beg leave to make the following as their Second Report:

THEY recommend that each and every Town Clerk, within the District, be paid the sum of £5 per annum for his services as such Town Clerk.

That the Collectors of the several and respective Townships within the District be paid the per centage at present allowed them by law.

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That the several and respective Assessors within the District be paid the per centage allowed them by law, but that for the present year, for which, in consideration of their increased labor and responsibility, they be paid in addition a further sum equal to double the amount at present allowed them by law, for taking the census of the population.

They recommend that the sum of £3 5s. be refunded to Daniel Phillips, late Collector for the township of Yonge, and that the sum of £1 15s. be allowed to Thomas Smith, Collector for Edwardsburg, it appearing in evidence given on oath before your Committee, that the said sum of £3 5s. and of £1 15s. were taken by the said Collectors, as part of the public rates and assessments, in bills of the "*Suspension Bridge Bank*," which Bank, at the time they were so received, was supposed to be good and solvent, and was legally authorised to issue such notes or bills, but which have since become of no use or value whatever, the said Bank having failed and become insolvent.

All of which is respectfully submitted.

(Signed) { OGLE R. GOWAN, *Chairman*,
MARTIN CASTLEMAN,
MILO McCARGAR,
JAMES SHAW,
JOHN HOLDEN.

May Session, 1842.

Third Report of the Committee on District Funds, Salaries, and Allowances.

The Committee to whom was referred the subject of the District Funds, Salaries, and Allowances, beg leave to submit the following as their Third Report:

Your Committee have had under their consideration the petition of William Cughen, of the township of Yonge, praying

to be refunded the sum of Three Pounds Five Shillings, which sum, it appears, was paid by the petitioner to the late Treasurer of the District, in ignorance of the law, and without being actually due or owing by him; and they therefore recommend that the said sum of £3 5s. be repaid and refunded to the said William Cughen, the petitioner, out of the general revenue of the District, applicable to District purposes.

They have also had submitted to their consideration the application of Nicholas Hopkins, Collector for the township of Elizabethtown, praying to be allowed the sum of £16 3s. 5½d. from the amount of Assessment for that township, with which he stands charged. As the petitioner has shewn already the several sums in detail of which this amount is made up, together with the names of the persons by whom they are respectively due, and the causes why they are uncollectable, and has also made affidavit before T. D. Campbell, Esquire, a Justice of the Peace for this District, that he has used all due diligence to collect them, but without being able to succeed, your Committee recommend that the said sum of £16 3s. 5½d. be allowed the said Collector on the settlement of his accounts with the Treasurer of the District.

A charge, amounting to Nine Shillings and Two-pence, appears due by Christopher Gunniss, Collector for the township of Kitley, upon which subject they have heard the statements respectively of the Treasurer of the District, and of the said Collector for Kitley, and recommend that the said sum of 9s. 2d. be allowed the Collector, which being in full, they recommend that the bonds of security be delivered by the Treasurer to the said Collector.

Your Committee having carefully examined the Report of the District Treasurer, together with an abstract of accounts accompanying the same, find them clear and correct; and they recommend that the sum of £—— per annum be paid to that officer, which said sum shall be in lieu of all charges, salaries, allowances, and per centages, whatever.

In the investigation made by your Committee, it appears to

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them that a By-Law was required to regulate the mode and manner of all drafts, checks, and orders made upon the Treasurer of the District for the payment hereafter of any funds from the District Treasury, and also to cover those already made by that officer, in good faith, but without the authority of such By-Law.

It also appeared to your Committee, in the course of their investigations, that a By-Law was required to compel the Township Clerks to deliver their Bonds to the Treasurer of the District within a certain period after their appointment, say the second Tuesday in February in each and every year, which Bonds from Town Clerks, together with those from the several Collectors for Townships, should be properly and legally executed, witnessed and delivered, as your Committee have reason to apprehend that unnecessary delays, and even fraud, have been practiced in some instances, without responsibility or power of punishment.

Your Committee finding by the Provincial Statute, 1st Victoria, chap. 21, sec. 19, the several Collectors are held personally liable for all rates and assessments within their respective townships not collected, even in the case of absentees, when not demanded within a certain period, and as it would be obviously unreasonable and unjust to hold Collectors and their bail liable for any rate or assessments, for the collection of which they have used all due diligence, and which proved to be absolutely uncollectable, your Committee recommend that a By-Law be passed by the Council, relieving all Collectors who at present appear nominally indebted, and providing a proper remedy for the discharge of all such Collectors for the future.

In the investigation of the Treasurer's Accounts, your Committee have found the sum of £5 as due by the late Treasurer, which sum it appears was received by that officer in bills of the "Suspension Bridge Bank," which institution has since failed and become insolvent: your Committee therefore recommend that the late Treasurer be allowed the said sum of £5, and that he be discharged from all further liability, and his Bonds delivered to him.

Out of the moneys collected by Assessment for the erection of a new Gaol and Court House, it appears the late Treasurer paid to the Building Committee the sum of £500, of which sum they have paid £400 to the Contractor, leaving a balance in their hands of £100 to meet casual expenses, and which balance is, as yet, unaccounted for. This system your Committee conceive to be irregular and objectionable. There ought not to be, in the opinion of your Committee, any officer to hold the public moneys but the one (the District Treasurer), who, having given proper security, is alone responsible in law, and whose accounts and vouchers are open to investigation, and accessible at all times. Your Committee therefore recommend that whatever balance may be in the hands of the Building Committee, unappropriated and unexpended, be paid over to the Treasurer, and be by that officer carried to the public credit of the District.

It appears from the Treasurer's Report, as examined by your Committee, that the moneys in that officer's hands, applicable to the building of the new Gaol and Court House, are nearly expended, and as no further receipts from taxes which may be imposed for that object of any considerable amount need be expected before December next, it would seem to be requisite for maintaining the credit of the District, that provision should be made by the District Council to meet the payments, which will probably be large, and likely to become due to the Contractor in the interim, if indeed the building Committee have not already completed arrangements for that purpose, to ascertain which your Committee suggest that some information be obtained from the Committee.

One of the Members of your Committee has seen part of the papers in the hands of the present building Committee, but those documents have not been laid before your Committee and examined, as they could have desired they were, and in order to have full access to them for the future, and also for their better security and protection, your Committee suggest that all papers, plans, contracts, agreements, and other documents, in the hands of the building Committee, and connected with the erection of the new Jail and Court House, be

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deposited with the Clerk of the Council, where they will be at all seasonable times open to the inspection of the Council, its Committees, and the Public.

Your Committee deeply regret to find the finances of the District in a condition so strictly embarrassed, that instead of having funds to devote to the repair of roads and bridges, and other urgent and necessary public improvements, further demands may be requisite to sustain public credit, and meet the pledged faith of the District. Under such circumstances your Committee beg leave respectfully to urge on the Council the necessity of the strictest economy, and that no new debt, contract, or expenditure of any kind, will be made without the fullest investigation, and the clearest evidence of its urgency and necessity.

All of which is respectfully submitted.

(Signed) { OGLE R. GOWAN, *Chairman*,
MILO McCARGAR,
MARTIN CASTLEMAN,
JAMES SHAW.

Council Chamber, 12th May, 1842.

First Report of the Committee on Roads.

The Select Committee to whom was referred the several Petitions, Reports, and other Documents upon the subject of Roads, beg leave to make the following as their first Report:

THEY have examined the Report of James Bilton, Road Surveyor for the township of North Crosby, together with a diagram accompanying said Report. They have also heard the evidence of the said James Bilton, of Reuben Sherwood, and of Noah Halliday, freeholders of this District, and Resolve, That the Road surveyed and laid out by the said James Bilton, and as marked upon the diagram accompanying his Report,

be approved of and confirmed, and that the same be, and is hereby declared to be a public highway and road, subject, however, to the said Road Surveyor's removing the post at present planted on lot No. 12, in the ninth concession of North Crosby, thirty feet to the west of the site on which it is at present erected.

They have examined the Petition of Henry Maud, a Freeholder of the township of Elizabethtown, together with the respective certificates of H. Walker, Paul Glasford, and James Jessup, Esquires, attached to the said petition, and have also heard the evidence of John Jelly, and Samuel J. Bellamy, freeholders of the District, upon the same subject, and Resolve, That the sum of £15 be paid to the petitioner out of the funds of the District, as in full compensation for his claim for damages for the public highway ordered to be opened by the Justices of the Peace, in General Quarter Sessions assembled, on the 11th day of August, 1841, through the centre of lot No. 18, in the seventh concession of Elizabethtown.

They have read and duly examined the petition of John Kelly, Junr., and others, inhabitants of the Township of Yonge, of and concerning the opening of the Government Allowance, or concession road, between the tenth and eleventh concessions of the Township of Yonge, and have also heard the evidence of the said John Kelly, Junr., of William Moulton, and of Benjamin Yates, freeholder of the District, upon the same subject, and resolve, That the Overseer of Highways for the division in which the Road prayed for by the petitioners to be opened, is situated, be directed to open the said road, pursuant to the prayer of the said petition.

They have under their consideration the respective Petitions of Walter H. McCrea, and others, and of John L. Read, and others, also the Report of the Surveyors of Highways for the township of Wolford, and which is attached to the last named petition. They have also examined a plan or Diagram of the roads in dispute, and which plan accompanies the Petition of Walter H. McCrea, and others, and having heard

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Counsel, learned in the law, upon the matter, as also the evidence and statement of Eleazar H. Whitmensley, and Samuel J. Bellamy, members of the Council, they Resolve, That the application of John L. Read, and others, as stated in their Petition, and as recommended by their Surveyors of Highways for the township, as stated in their Report attached to the said petition, be granted, and the said Report approved of and confirmed.

They have read and examined the respective petitions of Thomas Davis, and others, and also of William Weeks, and others, inhabitants of the township of Yonge, and have heard the evidence given upon the same subject by James Thompson, William Yonge, and Walter Beattie, freeholders of the District, and Resolve, That such portion of the statute labor as the Overseer of Highways for the division may direct, be expended in opening, making and improving the Government Allowance between lots Nos. 18 and 19, in the fourth concession of Yonge, as prayed for in the petition of Thomas Davis, and others.

Lastly: They have had under their consideration the Report of John R. Christie, Road Surveyor of the township of South Gower, and have heard the statements of Milo McCargar, Esq., in reference to the said Report, and Resolve, That the Report of the said John R. Christie be approved of and confirmed.

All of which is respectfully submitted.

(Signed) OGLE R. GOWAN, *Chairman.*

Council Chamber, 11th May, 1842.

Second Report of the Committee on Roads.

The Committee on Roads beg leave to submit the following as their second Report:

THE Committee have read and examined the respective pe-

tions of Hugh Kernahan and others; also of William McSpadden and others, inhabitants of the township of Kitley, praying for certain alterations in the road at present leading from the village of Frankville, in the township of Kitley, to the Town of Smith's Falls, in the township of Elmsley. Your Committee recommend that the prayer of these petitions be not complied with, inasmuch as they are not accompanied by a Report from a Surveyor of Highways, made after due examination, and founded upon the Requisition of twelve freeholders, as required by law.

Your Committee have under their consideration the petition of A. B. Pardee and others, inhabitants of North Augusta, praying for aid for certain Bridges over the south branch of the Rideau River, in the township of Augusta. Your Committee recommend that the further consideration of these petitions be deferred until a record can be had from the Clerk of the Peace, shewing the proceedings of the Justices of the District, in reference to the erection of the bridges in question.

Your Committee have considered the petition of Daniel Buck and others, inhabitants of the Townships of Wolford and Oxford, praying for leave to alter a certain road therein mentioned. Upon this petition your Committee recommend a non-compliance with its prayer, because it is not accompanied by a Report from a Surveyor of Highways, as required by the Statute.

Your Committee have duly considered the petition of Thomas Kidd and others, inhabitants of the townships of Leeds, Lansdown, Yonge, Escott, and parts adjacent, praying that application should be made to the Provincial Government to take such steps as may be deemed advisable to render navigable the waters connecting the Wiltsie Lake with the St. Lawrence by the Gananoque River, and recommend that an address be prepared and adopted to His Excellency the Governor General, embracing the subjects contained in the said petition, and urging the propriety of their adoption on His Excellency.

Your Committee have had under their consideration the

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petition of Thomas Shipman and others, inhabitants of the township of Oxford, in reference to a certain bridge therein mentioned, and recommend in reference thereto that the District Surveyor be authorised to proceed to Lot No. 23, in the 4th concession of the township of Oxford, to fix thereon the site or location of the contemplated bridge over the south branch of the River Rideau, and to report his opinion to the District Council.

Your Committee have duly examined the petition of Roswell Cook and others, inhabitants of the township of Edwardsburgh, praying for a survey of certain Roads therein mentioned; and recommend that the prayer of the petition be not complied with, as it is not accompanied by a Report, after due examination, of a Surveyor of Highways, as required by law.

Your Committee have duly considered the petition of Stringer McFadden and others, inhabitants of the township of Edwardsburgh, praying leave to open a certain Government Allowance for a Road therein mentioned. In reference to this petition, your Committee recommend that it be referred to Messrs. Castleman and Keeler, the two members of your Council representing the township of Edwardsburgh, with a view to their directing a part of the Statute Labor of the township to be expended in opening the Road in question.

Lastly: your committee have had under their consideration the petition of Edward Mills and others, inhabitants of the township of Elmsley, Wolford, and Kitley, in reference to the erection of a certain Bridge therein mentioned. In reference to the prayer of the petition, your Committee recommend that the District Surveyor be instructed to proceed to the "Otter Creek," on the eastern side of the township of Elmsley, and having duly examined the same, report his opinion to the District Council upon the most eligible site for the erection of the contemplated Bridge.

All of which is respectfully submitted.

(Signed) OGLE R. GOWAN, *Chairman.*

Council Chamber, 12th May, 1842.

Final Report from the Committee on Roads.

YOUR Committee have had under their consideration the petition of William Freeland and others, inhabitants of the townships of Elizabethtown and of Augusta, of and concerning the opening of a Road, or public Highway, through the first and second concessions of the township of Augusta.

They have heard the evidence given on oath before them, of Dr. Phillips, Richard Dyer, Reuben Sherwood, Esq., Joseph Stuart, David Mair, Thomas Neisdale, William Freeland, Esq., Moses Reid, Hugh Murray, and George Malloch, Esq., and are of opinion that the said Road is a public Highway, and that the Overseer of Highways for the division should be instructed to remove the obstructions therein. Your Committee attach the evidence to this Report upon which their opinion is founded.

Your Committee have had under consideration the petition of John Stitt and others, inhabitants of the township of Edwardsburgh, praying for the opening of a certain Road therein mentioned, together with the Report of Alexander McMillan, Road Surveyor, thereon; and respectfully recommend that the prayer of the said petition be complied with.

Your Committee have duly considered the petition of Robert Lossin and others, praying to open a certain Road on the Government Allowance in the township of Elizabethtown; and respectfully recommend that the said petition be referred to Mr Jelly, one of the Councillors representing that township, with a view of expending a part of the Statute Labor on such Road.

All of which is respectfully submitted.

(Signed) OGLE R. GOWAN, *Chairman.*

May Session, 1842.

Report of the Committee on Education.

THE Committee appointed to consider and Report on the several Petitions relating to the subject of Education, and to the

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late Common School Act, beg leave to Report, that they consider it expedient to defer the consideration of that important subject until the next sitting of the District Council.

All of which is respectfully submitted.

(Signed) JAMES SHAW, *Chairman*.
Committee Room, 12th February, 1842.

THE Committee to whom was referred the subject of public buildings, beg leave to present the following Resolutions :

(Signed) WALTER H. DENAUT, *Chairman*.

1st. *Resolved*, That Mr. Gowan be authorised to prepare and draw up a case to be submitted for the opinion of John Prince and Robert Baldwin, Esqrs., which case shall recite the law appertaining to this matter, and shall also set forth the acts done by the Magistrates in relation thereto, and ask the opinion of the Council, whether such acts were legal or otherwise, and whether or not they are binding on this Council.

4th. *Resolved*, That the expense of procuring such opinion be defrayed from the funds of the District.

February Session, 1842.

First Report of Financial Committee.

THE Select Committee on Finance beg leave respectfully to Report, That they have examined the Report of the Treasurer of the District, and also of the Auditors, together with various items of expenditure paid by the Clerk and other Officers of the District, since the last meeting of the Council, which Reports of the Treasurer and Auditors they have found correct and accurate, and they recommend the payment of the several sums following, to the individuals named in the following resolutions.

(Signed) JOHN HOLDEN, *Chairman*.
November Session, 1842.

Second Report of the Finance Committee.

THE Finance Committee has received certified statements of the expenditure of the sums of money received by the following Councillors, to be expended in their respective Townships according to a resolution passed at the last session of the Council, viz :

Township of Elmsley—	JAMES SHAW,	<i>Councillor,</i>
“	Bastard—	WALTER H. DENAUT,
“	Oxford—	KERNAHAN & CLOTHIER,
“	S. Gower—	MCCARGAR,
“	S. Lansdown—	MCEWAN,
“	N. Lansdown—	SHUFFIELD,
“	N. Crosby—	HALLIDAY,
“	Elizabethtown—	GOWAN & JELLY,
“	Kitley—	FERGUSON & JOHNSON,
“	Wolford—	WHITMARSH,
“	Edwardsburgh—	KEELER,
“	Yonge (rear)—	MOULTON,
“	S. Crosby—	DELONG,
“	Yonge—	THOMSON,

Recommended for approval.

(Signed) JOHN HOLDEN, *Chairman.*

November Session, 1842.

Report of the Committee on the Revision and Classification of the By-Laws.

The Committee on the revision and classification of the By-Laws, beg leave to submit the following as their Report :

YOUR Committee recommend that the Standing Rules of the Council, together with the By-Laws and the Reports of Committees which have been approved by the Council for the year 1842, be printed, with a proper index and marginal notes ; and

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that the following be the order of their arrangement and precedence when printed:

	Book, page.
1 Relating to Statute Labour,	1 3
2 To regulate the appointment of Surveyors of Highways,	1 9
3 To define the duties of Surveyors of Highways,	2 10
4 To provide for the vacating of the seats of Members,	4 11
5 To provide for the filling up of certain vacancies,	3 6
6 Relating to the opening of Roads,	2 4
7 To regulate the mode of opening and closing Roads,	2 8
8 To regulate the appointment of Pound Keepers,	1 6
9 To enable the Clerk to issue Subpœnas,	1 8
10 Relating to certain Fees and Salaries,	2 3
11 Relating to the violation of any By-Law,	1 11
12 To refund certain moneys,	2 5
13 Relative to Collectors in arrears for Taxes,	2 17
14 To regulate certain Salaries and allowances,	2 16
15 To regulate the Bonds of certain Township Officers,	2 18
16 Mode in which deductions may be made from Assessment,	2 19
17 For the payment of moneys applicable to Roads,	3 10
18 To regulate the mode of payment by the Treasurer,	2 6
19 Relating to certain duties of the Treasurer,	2 7
20 Assessment Law for the year 1842,	3 3
21 To assess wild lands in certain Townships,	3 8
22 Relating to Edwardsburgh Boundary Line,	2 20
23 To establish a Road in the 9th concess ⁿ of N. Crosby,	2 9
24 " the 4th con. of South Gower,	3 11
25 " Elizabethtown,	4 3
26 " Wofford,	4 4
27 " Oxford,	4 5
28 " Oxford,	4 5
29 " Elizabethtown,	4 6
30 " Oxford,	4 7
31 " Oxford,	4 7
32 " Oxford,	4 8
33 " Lansdown,	4 8
34 " Escott,	4 9

		Book. page.
35	To establish a Road in North Crosby,	4 10
36	" " Bastard and South Crosby,	4 12
37	" " Leeds,	4 3

In the revision of the By-Laws, your Committee recommend the following alterations:

No. 1, Section 4, omit "*nine*" and insert "*eight*". In same section, omit "*six*", and insert "*five*". Section 5, omit "*first*" and insert "*twenty-fourth*." In the same section, omit "*Surveyor*" and insert "*Councillor or Councillors for the Township*."

No. 3, omit the 11th section.

No. 7, in the last line of the preamble, omit "*twelve*" and insert "*twenty*". In the second section, omit the words "*and the enclosure to be about forty feet square on the inside*".

All of which is respectfully submitted.

(Signed) { OGLE R. GOWAN, *Chairman*.
 JAMES SHAW,
 W. S. McDONALD,
 JOHN HOLDEN,
 JAMES KEELER.

February Session, 1843.

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