

Laws of His Majesty's Province of Upper Canada, passed in the year 1834. York: Robert Stanton, 1834.

4 William IV — Chapter 23

An Act to extend the Limits of the Town of York; to erect the said Town into a City; and to Incorporate it under the name of the City of Toronto. Passed 6th March, 1834.

Whereas from the rapid increase of the Population, Commerce and Wealth, of the Town of York, a more efficient system of Police and Municipal Government than that now established has become obviously necessary: And whereas none appears so likely to attain effectually the objects desired as the erection thereof into a City and the Incorporation of the Inhabitants, and vesting in them the power to Elect a Mayor, Aldermen and Common Councilmen, and other Officers, for the management of the affairs of the said City, and the levying of such moderate Taxes as may be found necessary for Improvements and other Public purposes: And whereas the name of York is common to so many towns and places, that it is desirable, for avoiding inconvenience and confusion, to designate the Capital of the Province by a name which will better distinguish it, and none appears more eligible than that by which the site of the present Town was known before the name of York was assigned to it: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province;*" and by the authority of the same, That so much of the first section of an Act of the Parliament of this Province passed in the fifty-fourth year of the reign of His late Majesty King George the Third, entitled "An Act to empower the Commissioners of the Peace for the Home District, in their Court of general Quarter Sessions assembled, to establish and regulate a Market in and for the Town of York in the said District," as authorises the said Commissioners to appoint such days and hours for exposing to sale Butcher's meat, butter, eggs, poultry, fish and vegetables, and to make such other orders and regulations relative thereto as they shall deem expedient; together with the second, third, and fourth sections of the said recited Act: And also, so much of the second section of an Act of the Parliament of this Province, passed in the second year of the reign of His late Majesty King George the Fourth, entitled "*An Act to repeal in part a certain part of an Act passed in the forty-third year of His late Majesty's reign, entitled 'An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's reign, entitled 'An Act to restrain the custom of permitting horned cattle, horses, sheep and swine to run at large; and further to enable the Magistrates in their respective Districts in this Province, in general Quarter Sessions assembled, to make such rules and regulations as may restrain swine running at large in the respective towns in this Province where a Police is or may hereafter be established by Law,*" as affects the Town of York: and also, so much of an Act of the Parliament of this Province passed in the sixth year of the reign of His late Majesty King

George the Fourth, entitled "An Act for the better regulating the assize and fixing the price of Bread in the several Police Towns throughout this Province," as applies to the Town of York in the Home District: and also, so much of an Act of the Parliament of this Province passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled "*An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,*" as respects the Town of York: also, so much of an Act of the Parliament of this Province passed in the forty-sixth year of the reign of His late Majesty King George the Third, entitled "*An Act to alter and amend an Act passed in the thirty-third year of His present Majesty's reign, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers; and also to repeal certain parts of an Act passed in the thirty-third year of His present Majesty's reign, entitled 'An Act to authorise and direct the levying and collecting of Assessments and Rates in every District in this Province, and to provide for payment of wages to the Members of the House of Assembly,'*" as affects the Town of York: also so much of an Act of the Parliament of this Province passed in the fifty-seventh year of the reign of His late Majesty King George the Third, entitled "*An Act to establish a Police in the Towns of York, Sandwich and Amherstburgh,*" as respects the said Town of York: also, so much of an Act passed in the forty-eighth year of the reign of His late Majesty King George the Third, entitled "*An Act for the better regulation of Parish and Town Officers throughout this Province,*" as affects the said City hereby constituted or the Liberties thereof: also so much of an Act of the Parliament of this Province passed in the fifty-third year of the reign of His late Majesty King George the Third, entitled "*An Act to alter and amend An Act passed in the forty-eighth year of His Majesty's reign, entitled 'An Act for the better regulation of Parish and Town Officers throughout this Province,'*" as affects that portion of this Province comprised within the said City hereby constituted or the Liberties thereof: also, so much of an Act of the Parliament of this Province passed in the forty-fifth year of the reign of His late Majesty King George the Third, entitled "*An Act to make provision for further appointment of Parish and Town Officers throughout this Province;*" and so much of an Act of the Parliament of this Province passed in the fifty-ninth year of His said late Majesty's reign, entitled "*An Act further to extend the provisions of an Act passed in the forty-fifth year of His Majesty's reign, entitled 'An Act to make provision for the further appointment of Parish and Town Officers throughout this Province;'*" and so much of an Act of the Parliament of this Province passed in the fourth year of the reign of His late Majesty King George the Fourth, entitled "*An Act to amend and make perpetual an Act passed in the fifty-ninth year of His late Majesty's reign, entitled 'An Act to repeal part of and amend the Laws now in force for laying out, amending, and keeping in repair the Public Highways and Roads in this Province; and also to amend an Act passed in the fiftieth year of His late Majesty's reign, 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,'*" as affects the said City hereby constituted and the Liberties thereof: also, An Act of the Parliament of this Province passed in the first year of the reign of His Majesty King William the Fourth, entitled "*An Act for vesting in Trustees the Market Square in the Town of York, for the benefit of the Inhabitants of the said Town;*" and also an Act passed in the third year of His Majesty's reign, entitled "*An Act to repeal part of and amend an Act passed in the fifty-seventh year of the reign of*

His late Majesty King George the Third, entitled 'An Act to establish a Police in the Towns of York, Sandwich and Amherstburgh,' be and the same are hereby repealed.

II. And be it further enacted by the authority aforesaid, That all that part of the County of York which lies within the following limits, that is to say—commencing at the distance of one chain, on a course South, sixteen degrees East, from the South Westerly corner of Lot number two, in the first Concession from the Bay in the Township of York, in the County of York; thence Southerly, in the direction of the side line between Lots numbers two and three in that Concession, to the distance of five hundred feet from the point at which the said line intersects the margin of the water on the shore of Lake Ontario; thence Westerly, through the waters of Lake Ontario, following the direction of the curvatures of the shore, and keeping always at the distance of five hundred feet from the margin of the water till the point is attained, which is five hundred feet from the North Westermost point of the Island or Peninsula forming the Harbour; thence across the Bay or Harbour of York to a point where a line drawn Southerly from the North Easterly corner of Park Lot number twenty-nine, in the said Township of York, in the direction of the Easterly boundary line of the said Park Lot intersects the margin of the water on the shore of the Lake Ontario; thence Northerly, in the direction of the said line so drawn from the said corner of the said Park Lot through the said corner to the point at which the said line so drawn through the said corner intersects the Northerly boundary line of the allowance for road between the Park Lots and the second Concession from the Bay, in the said Township of York; thence Easterly, along the said Northerly boundary line of the said allowance for road to the Easterly shore or water's edge of the River Don; thence Southerly, along the water's edge on the Eastern side of the said River to the point where the said water's edge intersects the Southerly boundary line of the allowance for road in front of the said first Concession; thence Easterly, along the Southerly boundary line of the allowance for road in front of the said first concession to the place of beginning, except so much thereof as by certain Indentures bearing date the tenth day of December, one thousand eight hundred and twenty-eight, the nineteenth day of May, the fifteenth day of August, and the second day of December, one thousand eight hundred and twenty-nine, respectively, has been conveyed to the University of King's College, or the Chancellor, President and Scholars thereof, shall from henceforth constitute the City of Toronto and the Liberties thereof: Provided always, that such limits of the said City, and the Liberties thereof respectively, shall and may be altered with respect to each other from time to time as hereinafter provided.

III. And be it further enacted by the authority aforesaid, That so much of that part of the County of York described in the second clause of this Act, except as before excepted, as lies within the following limits, that is to say:—commencing at the distance of one Chain, on a course North, seventy-four degrees East, from the South East angle of Park Lot number three, in the said Township of York; thence South, sixteen degrees East, upon a continuation of the allowance for Road between Park Lots numbers two and three to the water's edge of the Bay in front of the Town of York; thence Westerly along the water's edge of the said Bay to the point at which the Westerly limit of the allowance for Road between Park Lots numbers eighteen and nineteen in the said Township of York, being produced Southerly,

intersects the said water's edge; thence Northerly in the direction of the said Westerly limit of the said allowance for Road to the distance of four hundred yards North of the Northerly boundary line of Lot Street; thence Easterly, parallel to Lot Street, to the Easterly boundary line of the allowance for Road between Park Lots numbers two and three; thence South sixteen degrees East along the Easterly boundary line of the said allowance for Road four hundred yards, more or less, to the place of beginning, shall constitute the City of Toronto; and that the said City shall be and the same is hereby divided into five Wards, to be called respectively the Wards of Saint George, Saint Patrick, Saint Andrews, Saint Davids, and Saint Lawrence.

IV. And be it further enacted by the authority aforesaid, That the Saint David's Ward shall consist of all that part of the said City which lies to the Northward of the Northerly boundary line of King Street, and King Street East, to the Eastward of the Westerly boundary line of Yonge Street.

V. And be it further enacted by the authority aforesaid, That the Saint Andrew's Ward shall consist of all that part of the said City which lies between the Northerly boundary line of King Street and the Northerly boundary line of Lot Street, and West of the Westerly boundary line of Yonge Street.

VI. And be it further enacted by the authority aforesaid, That the Saint Patrick's Ward shall consist of all that part of the said City which lies to the North of the Northerly boundary line of Lot Street, and West of the Westerly boundary line of Yonge Street.

VII. And be it further enacted by the authority aforesaid, That the Saint Lawrence Ward shall consist of all that part of the said City which lies to the Southward of the Northerly boundary line of King Street, and King Street East, and to the Eastward of the Westerly boundary line of Yonge Street.

VIII. And be it further enacted by the authority aforesaid, That the Saint George's Ward shall consist of all that part, of the said City which lies to the Southward of the Northerly boundary line of King Street, and to the Westward of the Westerly boundary line of Yonge Street.

IX. And be it further enacted by the authority aforesaid, That until otherwise provided by Act of Common Council, so much of the Liberties of the said City as lies to the Southward and Eastward of the Saint Lawrence Ward shall be and is hereby attached to the Saint Lawrence Ward; so much thereof as lies to the Northward and Eastward of the Saint David's Ward shall be and is hereby attached to the said Saint David's Ward; so much thereof as lies to the Southward and Westward of the Saint George's Ward shall be and is hereby attached to the said Saint George's Ward; so much thereof as lies to the Westward of the Saint Andrew's Ward shall be and is hereby attached to the said Saint Andrew's Ward; and so much thereof as lies to the Northward and Westward of the Saint Patrick's Ward shall be and is hereby attached to the said Saint Patrick's Ward: the limits between the respective

portions of the said Liberties hereby attached to the different Wards of the said City being ascertained by the extention of the boundary lines between the said Wards respectively through the said Liberties, except the boundary line between the portions hereby attached to the Saint Lawrence Ward, and that hereby attached to the Saint David's Ward, which shall consist of the Northerly boundary line of King Street East, to the River Don.

X. And be it further enacted by the authority aforesaid, That the said City may by Act of Common Council, from time to time as it may seem expedient, erect any part of the Liberties contiguous to the City, as its boundary shall stand at the time, into one or more outer Wards, and may from time to time, as it may seem expedient, alter and vary the boundaries of such outer Wards, or any of them, before they shall be annexed to the said City as hereinafter provided: Provided always, that they shall not have it in their power to annex altogether more than five new Wards to the said City.

XI. And be it further enacted by the authority aforesaid, That so soon as it shall appear by the City census that any one of such outer Wards contains as many Inhabitants as by the first City census taken after the passing of this Act shall be found to be contained in the least populous of the Wards erected by this Act, and by the general Assessment Roll of the said City that such outer Ward contains as much Assessed Property as by the first City Assessment made after the passing of this Act shall be found to be contained in the least wealthy of the said Wards erected by this Act, it shall and may be lawful for the Mayor of the said City for the time being, and he is hereby required, forthwith to issue a Proclamation under the Seal of the said City setting forth the same, and annexing such Ward to the said City, calling it by such name as the Common Council shall think fit.

XII. And be it further enacted by the authority aforesaid, That from the date or teste of such Proclamation such Ward shall cease to be a part of the Liberties, and shall from thenceforth constitute a Ward of the City, and have incident to it and its Inhabitants every thing by this Act, or any future Act of Parliament, or any Act of Common Council, incident to the Wards of the said City or the Inhabitants thereof in general, and every such Act shall extend to such Ward as it does or shall to the other Wards of the said City in general: Provided always, that no election for Charter Officers for such Ward shall take place until the general election for such Officers next ensuing the issuing of such Proclamation.

XIII. And be it further enacted by the authority aforesaid, That all that portion of the Liberties of the said City lying between the margin of the water on the North side of the Bay in front of the said City, and the margin of the water on the North side of the marsh and Bay East of the River Don, and the Southern limits of the said Liberties, including the Peninsula and Island, shall constitute and form the Port of Toronto.

XIV. And be it further enacted by the authority aforesaid, That all the Inhabitants of the said City and the Liberties thereof shall be, and they and their successors, Inhabitants aforesaid, from time to time, and at all times hereafter, shall continue to be one Body Corporate and Politic in fact and in name, by the name of the "City of Toronto," and that by that name they

and their successors shall and may have continued succession, and a Common Seal, with full power to break, renew, change and alter the same at pleasure, and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all Courts of Law and Equity, and other places whatsoever, in all manner of actions, suits, complaints, demands, matters and causes whatsoever; and of purchasing, accepting, having, taking, holding, possessing, enjoying, maintaining, demising, conveying and assuring any Estate, of what nature or kind soever, real or personal, either for their own use or in trust for other purposes; and of giving and receiving any bills, bonds, covenants, judgments, statutes, recognizances, or other instruments or securities of what nature or kind soever, for the payment or securing of the payment of any money borrowed or lent, or for the performance or securing the performance of any other duty, matter or thing whatsoever.

XV. And be it further enacted by the authority aforesaid, That for every Ward within the limits of the said City, two Aldermen and two Common Councilmen shall be chosen in manner hereinafter mentioned; and the Aldermen and Common Councilmen shall choose from among the Aldermen, by vote of the majority of such Aldermen and Common Councilmen, one person to be a Mayor of the said City; and in case it shall happen that the votes shall be equally divided, then that Alderman, other than the Alderman proposed for Mayor, who shall have been rated upon the last Assessment List of the said City or Liberties, for the greatest amount of property, shall give a second or casting vote.

XVI. And be it further enacted by the authority aforesaid, That no person shall be eligible to be elected an Alderman of the said City, unless he shall have been a resident Householder within the said City or the Liberties thereof, for one year next before the Election, and being so resident at the time of the Election, shall be possessed to his own use and benefit of real property within the said City or the Liberties thereof, either in freehold or for term of years, which shall be rated according to the present Assessment Laws, at Two Hundred Pounds.

XVII. And be it further enacted by the authority aforesaid, That no person shall be eligible to be elected a Common Councilman of the said City, unless he shall have been a resident Householder within the said City or the Liberties thereof, for one year next before the Election, and being so resident at the time of the Election, shall be possessed, to his own use and benefit, of real property within the said City or the Liberties thereof, either in freehold or for term of years, which shall be rated according to the present Assessment Laws, at One Hundred and Fifty pounds: Provided always, that additional Fireplaces assessed shall be included in this valuation.

XVIII. And be it further enacted by the authority aforesaid, That the Aldermen and Common Councilmen of the said City shall be elected respectively by the majority of votes of such persons being male Inhabitant Householders within the Ward for which the Election shall be holden, or the Liberties attached thereto, as shall be possessed at the time of the Election, either in freehold or as tenants for term of years, or from year to year, of a Town Lot or Dwelling-house within the said Ward or Liberties: Provided always, that a portion of a House

in which any Inhabitant shall reside as a Householder, and not as a Boarder or Lodger, and having a distinct communication with the street by an outer door, shall be considered a Dwelling-house within the meaning of this Clause: And provided also, that no person shall vote at any such Election, who has not been a resident Inhabitant within the said City or Liberties thereof, for the period of twelve calendar months, and who has not resided within the Ward for which the Election shall be holden, or the Liberties attached thereto, for the period of three calendar months next before the Election. XIX. And be it further enacted by the authority aforesaid, That no person shall be eligible to be elected Mayor, Alderman, or Common Councilman of the said City, or to vote at any Election of City Officers, who shall not be a natural-born or naturalized Subject of His Majesty, of the full age of Twenty-one years.

XX. And be it further enacted by the authority aforesaid, That the Legislative power of the City of Toronto shall be, and is hereby vested in the Mayor, Aldermen, and Common Councilmen, who together shall form the Common Council of the said City.

XXI. And be it further enacted by the authority aforesaid, That every Legislative Act of the said City be expressed to be enacted by the Mayor, Aldermen, and Commonalty of the City of Toronto, in Common Council assembled.

XXII. And be it further enacted by the authority aforesaid, That the said City of Toronto shall by its Representatives, in whom the Legislative power of the City shall be vested as hereinbefore mentioned, have full power and authority from time to time to make, revise, alter, amend, ad minister and enforce, such Laws as they may deem proper for making, gravelling, flagging, paving, pitching, levelling, raising, repairing, mending, lighting, macadamizing and cleaning any of the Streets, Squares, Alleys, Lanes, Walks, Side-walks, Crosswalks, Roads, Highways, Bridges, Public Wharves, Docks, Slips, Shores and Sewers, now laid out or erected, or hereafter to be laid out or erected, within the limits of the said City or the Liberties thereof; to regulate or restrain Cattle, Horses, Sheep, Goats, Swine and other animals, Geese or other poultry, from running at large within the limits of the said City or the Liberties thereof; and to prevent and regulate the running at large of Dogs, and to impose a reasonable tax upon the owners or possessors thereof; to regulate or prevent the encumbering or injuring of the Streets, Squares, Lanes, Walks, Side-walks, Crosswalks, Roads, Highways, Bridges, Public Wharves, Docks and Slips, with any wheelbarrows, carts, carriages, lumber, stone or other materials whatsoever; to regulate or prevent the selling or vending by retail in the public Highways any meat, vegetables, fruit, cakes, cider, beer or other beverage whatsoever; to prevent the sale of any strong or intoxicating drink to any Child, Apprentice or Servant, without the consent of his, her or their legal protector; to prevent the immoderate riding or driving horses or other cattle in any of the Public Highways of the said City or the Liberties thereof; to prevent the leading, riding, or driving horses or other cattle upon the Side-walks of the Streets or other improper places; to regulate Wharves and Quays; to prevent all obstructions in the Bay, Harbour or River, near or opposite to any Dock, Wharf or Slip; to regulate or prevent the fishing with nets or seines, the use of fishing lights, or the erection or use of weirs for eels or other fish; to prevent or

regulate bathing and swimming in and about the Docks, Wharves, Slips and Shores, within the limits of the said City or the Liberties thereof; to suppress tippling-houses, and restrain persons from keeping the same; to enforce the due observance of the Sabbath; to regulate the licensing of, or to prevent the exhibition of wax figures, wild animals, mountebanks, and all other shows exhibited by common showmen; to prevent the excessive beating or other inhuman treatment of horses, cattle, or other beasts, in the Public Highways; to regulate or suppress all billiard-tables, and to regulate all theatres kept for profit, Stills kept for the purpose of distilling spirituous liquors for sale, auctioneers, butchers, cartmen and cartage, hawkers and pedlers, all persons exhibiting for gain or profit any puppet-show, wire-dance, circus-riding, or any other idle acts or feats which common showmen, mountebanks, circus-riders or jugglers usually practice or perform, and to limit the number, and to provide for the proper licensing of the same; to regulate and prevent the firing off guns, pistols, and other firearms, and to prevent the firing of squibs and crackers; to regulate and prevent the erection of slaughter-houses and tanneries; to abate and cause to be removed, any nuisances within the limits of the said City or the Liberties thereof; to regulate inns, taverns, ale-houses, victualling-houses, and all houses where fruit, oysters, clams, victuals or spirituous liquors, or any other manufactured beverage may be sold, to be eaten or drunk therein, and all other places for the reception and entertainment of the public, and to limit the number of them, and provide for the proper licensing of the same; to regulate the place and manner of selling and weighing hay, and the selling pickled and other fish; to restrain and regulate the purchase of country produce, butchers meat and fish, by persons called runners or hucksters; to regulate the measuring or weighing of coal, cordwood and other fuel, salt and lime, exposed for sale in any part of the said City or the Liberties thereof; to regulate the assize and price of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto; to regulate the vending of meat, vegetables and fruit; to regulate the present market; to regulate and enforce the erection of party walls; to provide for the permanent improvement of the said City and the Liberties thereof, in all matters whatsoever, as well ornamental as useful; to enforce the sweeping and cleaning of chimneys, and to regulate the dimensions of chimneys hereafter to be built, so as to admit chimney sweeps to sweep and clean the same, and to regulate and license chimney sweeps; to establish and regulate one or more fire companies; to regulate and require the safe constructing of deposits for ashes, and to regulate the manner of depositing and keeping ashes at the time they are taken from fire-places; to regulate, remove or prevent the construction or erection of any fire-place, hearth, chimney, stove, stove-pipe, oven, boiler, kettle or apparatus used in any house, building, manufactory or business which may be dangerous in causing or promoting fires; to regulate the keeping and transporting of gunpowder or other combustible or dangerous materials, and the use of lights and candles in livery or other stables; to regulate or prevent the carrying on of manufactories dangerous in causing or promoting fire; to regulate the conduct of the Inhabitants at fires; to provide for the keeping of fire-buckets, ladders and fire-hooks, and the making them a part of the real property to which they are attached; to erect, preserve and regulate Public Cisterns and other conveniences, for the stopping or preventing fires; to provide for the preservation of property exposed at fires, and to prevent goods and other effects from being purloined thereat; to adopt and establish all such other regulations for the prevention and suppression

of fires, and the pulling down of adjacent houses, for such purpose as they may deem necessary or expedient; to establish, and also to regulate and provide for the superintending of the same, an Alm-house, or Alm-houses, or other place or places for the relief of the poor, that may at any time or in any way be established or erected in the said City or the Liberties thereof; to erect and establish, and also to regulate and provide for the proper keeping of any Gaol, Bridewell or House of Correction, that may hereafter be erected or established in and for the said City and the Liberties thereof; to regulate management, and provide for the security of the public property of the said City; to provide for the health of the said City and the Liberties thereof; to establish and regulate a City Watch, and prescribe the powers of the Watchmen; to license and appoint by warrant, under the common seal of the said City, or otherwise, such and so many inferior Officers, other than those already mentioned in this Act, as shall from time to time be found necessary or convenient to enforce and execute such By-Laws and Regulations as may hereafter be made by the said Corporation or Common Council, and to displace all or any of them, and put others in their room, and to add to or diminish the number of them or any of them, as often as the said Common Council of the said City shall think fit; to establish and regulate one or more Pounds; to direct the returning and keeping bills of Mortality, and to impose penalties on Physicians, Sextons and others, for default in the premises; to regulate the Police of the said City and the Liberties thereof; to preserve the Wells, Pumps and Cisterns, and provide for the supply of good and wholesome Water to the said City and the Liberties thereof, and to prevent the waste of Water; to regulate the Burial of the dead; to regulate the Bonds, Recognizances or other Securities, to be given by all Municipal Officers for the faithful discharge of their duties, and the amount for which the same shall be taken; to inflict reasonable penalties and fines for the refusing to serve in any Municipal Office when duly elected or appointed thereto, and for the infringement of any and every Law of the said City; to regulate the time and place of holding Elections for all Municipal Officers, and to make provision for a Register of Electors or Voters for Aldermen, Common Councilman, and other Elective Officers of the said City; to impose and provide for the raising, leveying and collecting annually, by a tax on the real and personal property in the said City and the Liberties thereof, in addition to the Rates and Assessments payable to the general funds of the Home District, a sum of money the better to enable them to carry fully into effect the powers hereby vested in them: Provided that such additional tax shall never exceed in any one year Four Pence in the Pound upon the Assessed value of the Property lying and being within the limits of the said City, or Two Pence in the Pound upon the Assessed value of the Property lying and being within the limits of the Liberties of the said City, as now settled by the general Assessment Laws of this Province, the property lying and being within the limits of the said City being always Assessed as Town Property, and that lying and being within the Liberties thereof as County Property; to require the Road Labour of the said City and the Liberties thereof, required or to be required under the general Road Laws of the Province, to be commuted for money, and such money paid into the hands of the Chamberlain of the said City, to be at the disposal of the said City for the purpose of improving the Public Highways of the said City and the Liberties thereof; and generally to make all such Laws as may be necessary and proper for carrying into execution the powers hereby vested or hereafter to be vested in the said Corporation, or in any department or office thereof, for the peace, welfare, safety and

good government of the said City and the Liberties thereof, as they may from time to time deem expedient, such Laws not being repugnant to this Act or the general Laws of the Province: Provided always, that no person shall be subject to be fined more than five Pounds, or to be imprisoned more than thirty days, for the breach of any Bye-law or Regulation of the said City; and provided also, that no person shall be compelled to pay a greater fine than ten Pounds for refusing to serve in any Municipal Office when duly elected or appointed thereto.

XXIII. And whereas it may be expedient for the convenience of the Inhabitants of the said City and Liberties to protract the Streets already laid out within the Town of York, or some of them, so as to continue them through the extent of the tract which is hereafter to form the City of Toronto, and to make other alterations in the Streets of the said City or Liberties, be it therefore further enacted by the authority aforesaid, That it shall be competent to the Common Council of the said City at any time to consider and report upon the expediency of protracting any Street or Streets now laid out and opened in the Town of York, and of widening or otherwise altering any Street now laid out or hereafter to be laid out within the said City or Liberties; and for that purpose the said Common Council, and any person authorised and empowered by them, may enter upon the grounds of any person or persons, Body Corporate or Politic, for the purpose of examining and surveying the same, with a view to the laying out, altering and protracting any Street or Streets, either in a straight line or otherwise; and if the Common Council shall determine upon recommending the protraction or alteration of any Street, or the laying out of any new Street, they shall specify in some Act or Resolution the precise line of the Street which they desire to have made, with its proposed width and the points of termination and departure, which Act or Resolution shall be entered of record in the Book of the said Common Council, and a copy thereof shall be published in the several Newspapers published in the said City, with a notification that the Common Council intend to apply in the ensuing Session of the Legislature of this Province for an Act to authorise such improvement upon the terms and conditions which to the Legislature shall seem just; and that if the Legislature shall in either of the two next succeeding Sessions after the publication of such notice, pass an Act authorising the laying out and protracting or altering of such Street or Streets as desired by the Common Council, no claim to compensation shall be allowed in respect of any building or erection that shall be put up in the line of such proposed Street between the time of publishing such Report or Resolution as aforesaid and the passing of any Act of the Legislature authorising such alteration or improvement:—Provided always, that such notification or application to the Legislature shall not be necessary when the proprietors of the lands assent in writing to the proposed alteration.

XXIV. And be it further enacted by the authority aforesaid, That the said City of Toronto shall not have authority, by Act of Common Council or otherwise, to borrow any sums of money whatever on the credit of the said City except in anticipation of the Revenue to accrue within five years next after such loans shall be made, unless authorized by Act of Parliament: Provided always, that nothing in this clause contained shall be construed to prevent the said City, by Act of Common Council or otherwise, from borrowing a sufficient

sum of money to pay off the debt contracted under the authority of the Magistrates of the Home District for the erection of the new Market Buildings in the Town of York.

XXV. And be it further enacted by the authority aforesaid, That each Ward of the said City by this Act constituted, or hereafter to be constituted and annexed to the said City as hereinbefore provided, shall be entitled to elect two persons to be denominated the Aldermen of the Ward, and two persons to be denominated the Common Councilmen of the Ward.

XXVI. And be it further enacted by the authority aforesaid, That the Mayor of the said City shall hold his office from the first Monday in February in the year for which he shall have been elected till the day before the first Monday of February in the following year, both days inclusive, and until the election and swearing into office of his successor.

XXVII. And be it further enacted by the authority aforesaid, That all Elections for Aldermen and Common Councilmen shall be held at some place certain within each Ward respectively as follows, that is to say:—every person qualified to vote at such Election, and who shall offer himself to vote at any Ward Poll at such Election, shall at such Poll openly give his vote; and that the Poll of such Election shall be opened at nine o'clock in the forenoon, and shall continue open until three o'clock in the afternoon of the same day, and no longer; and that the name of each Elector voting at such Election shall be written in Poll Lists, to be kept at such Election by the Officer holding the same; and that after finally closing the Poll of any such Election, the Officer or Officers holding the same in any of the said Wards shall proceed without delay publicly to declare the number of votes given for each person for each respective Office, and shall file a Certificate in the office of the Clerk of the said City on the same day; and it shall be the duty of the Clerk immediately to declare the person or persons having such respective majorities duly elected as Aldermen, or Common Councilmen, as the case may be.

XXVIII. And be it further enacted by the authority aforesaid, That the Aldermen and Common Councilmen of the said City shall be annually chosen in each of the said Wards of the said City on the second Tuesday in January, and that the Officer or Officers whose duty it shall be to hold such Election shall, five days previous thereto, give public notice thereof in writing, in at least three public places in such Ward, of the place where such Election shall be held.

XXIX. And be it further enacted by the authority aforesaid, That the Aldermen and Common Councilmen of the said City shall hold their offices from the first Monday in February in the year for which they shall have been Elected until the day before the first Monday in February in the following year, both days inclusive.

XXX. And be it further enacted by the authority aforesaid, That the Mayor of the said City shall be annually chosen on the Thursday following the general annual Election for Aldermen and Common Councilmen of the said City, but shall not enter upon the duties of his office

until the first Monday of the following month, on which day he shall be sworn into office in the Court of King's Bench, if the said Court shall be then sitting, and if not, then before one of the Judges of the said Court, which Court or Judge is hereby authorised and required to administer to such Mayor the following Oath or Affirmation, that is to say:—

I ___ do swear, (or solemnly affirm, as the case may be,) that I will well and faithfully discharge the duties of Mayor of this City, to the best of my knowledge and ability.

XXXI. And be it further enacted by the authority aforesaid, That neither the Officer holding any Election for Aldermen or Common Councilmen of the said City, nor any Clerk or Assistant employed by him in holding such Election or taking the votes at the same, shall be eligible to be a Candidate at any such Election, nor shall any such Officer, Clerk or Assistant, vote at any such Election: Provided always nevertheless, that in the event of there being at the conclusion of the Poll an equal number of votes polled at any such Election for two or more persons for the same office, it shall and may be lawful to and for the Officer holding such Election, and he is hereby required whether otherwise qualified or not, to give a vote in favor of one or other of the persons having such equality of votes, in order that the Election may be completed.

XXXII. And be it further enacted by the authority aforesaid, That neither any Minister or Clergyman in Holy Orders of any Religious persuasion, nor any of the Judges of the Court of King's Bench, nor His Majesty's Attorney or Solicitor General, nor the Private Secretary of His Excellency the Lieutenant Governor, nor any practising Physician or Surgeon, shall be compelled to serve in any of the Municipal Offices created by or under the authority of this Act.

XXXIII. And be it further enacted by the authority aforesaid, That until provision shall have been made by Act of Common Council for a Registry of votes, every person offering to vote at any Election for Aldermen or Common Councilmen, before he be permitted to vote shall, if required by the Presiding Officer at any such Election, or by any person qualified to vote thereat, make oath or affirmation to the particulars of his qualification, and that he has not before voted at such Election; which oath or affirmation the said Presiding Officer is hereby authorised and required to administer.

XXXIV. And be it further enacted by the authority aforesaid, That after provision shall have been made by Act of Common Council for a Registry of votes, every person offering to vote at any Election for Alderman or Common Councilman, before he be permitted to vote shall produce a certificate, under the hand of the proper Officer, of the Registry of his qualification pursuant to any such Act of Common Council, and shall, if required by the Presiding Officer at such Election, or by any person qualified to vote thereat, take the following oath or affirmation, which the said Presiding Officer is hereby authorised and required to administer, that is to say:—

I ___ do swear, (or solemnly affirm as the case may be,) that I am the person described in the certificate I now produce, and that I have not before voted at this Election.

XXXV. And be it further enacted by the authority aforesaid, That if any person shall knowingly swear or affirm falsely in any of the cases referred to in the two preceding sections of this Act, he shall be deemed guilty of wilful and corrupt perjury, and be punished accordingly before any Court having cognizance thereof.

XXXVI. And be it further enacted by the authority aforesaid, That all Ward Elections shall be held in each Ward by an Officer or Officers to be appointed as hereinafter mentioned.

XXXVII. And be it further enacted by the authority aforesaid, That if there shall happen any vacancies in the Officers Elected for any Ward of the said City by death, resignation, removal out of the City and Liberties thereof, or other disqualification, before the return of another annual Election, it shall be lawful for the Common Council to direct an Election to supply such vacancy in the Office and Ward when and where the same shall happen, and to appoint a time and place for holding such Election in such Ward, previous notice of such time and place being given in at least three public places in such Ward, in manner hereinbefore mentioned, and such Election shall in other respects be held and conducted in like manner as the regular annual Elections in the said City are to be held and conducted: Provided always, that any person elected to supply any such vacancy shall hold his office only for the residue of the term of office of his immediate predecessor.

XXXVIII. And be it further enacted by the authority aforesaid, That the Aldermen and Common Councilmen of the said City shall be sworn into office by the Mayor of the said City, who is hereby authorised to administer such oath, on the first Monday in February in each year, or as soon thereafter as they shall or can attend in Common Council, and that the oath or affirmation to be so administered shall be as follows, viz:—

I ___ do swear (or solemnly affirm, as the case may be,) that I will well and faithfully discharge the duties of Alderman, or Common Councilman, (as the case may be) of this City, to the best of my ability.

XXXIX. And be it further enacted by the authority aforesaid, That in the Court of Common Council a majority of Aldermen and a majority of Common Councilmen shall together be a quorum for the despatch of business: Provided always, that a smaller number may adjourn from time to time, and may be authorised to compel the attendance of absent Members in such manner and under such penalties as may be provided by Act of Common Council.

XL. And be it further enacted by the authority aforesaid, That the Mayor, or in his absence from sickness or otherwise, a Member, being an Alderman, elected by the majority of the said Common Council, shall preside at the meetings of the Common Council, and that the said Mayor, or President pro tempore, shall in all cases, when the votes are equal, be entitled to a casting vote.

XLI. And be it further enacted by the authority aforesaid, That the said Common Council shall determine the rules of its proceedings, and judge of the qualifications, elections and returns of its Members.

XLII. And be it further enacted by the authority aforesaid, That the said Council shall keep a Journal of its proceedings, and its doors shall be kept open, except when the public welfare shall require secrecy: Provided nevertheless, that upon all proposals, discussions, debates, resolutions or other proceedings of the said Court of Common Council, of or concerning the raising, levying or imposing, any rates, taxes or assessments, or requiring the performance of any duty or service by the Inhabitants of the said City and Liberties thereof, or of any of them, the same shall be proposed, discussed, debated and resolved on and determined in open Court, accessible to the Citizens of the said City, any thing herein contained to the contrary thereof notwithstanding.

XLIII. And be it further enacted by the authority aforesaid, That all Resolutions, and Reports of Committees which shall recommend any specific improvement involving the appropriation of any public money, or taxing or assessing the Inhabitants of the said City or the Liberties thereof, shall be printed and published at least eight days before the same shall be adopted.

XLIV. And be it further enacted by the authority aforesaid, That whenever a vote is taken in relation to any such Resolution or Report as is referred to in the last preceding section of this Act, the yeas and nays shall be taken thereon.

XLV. And be it further enacted by the authority aforesaid, That the said Common Council shall have authority to punish its Members for disorderly behaviour, and to expel a Member convicted of an infamous crime, and that the Member so expelled shall by such expulsion forfeit all his right and powers as Alerman or Common Councilman, as the case may be.

XLVI. And be it further enacted by the authority aforesaid, That in order to ensure the due consideration of any measure for raising or appropriating money, or for imposing fines and penalties upon any person or persons in the said City or Liberties thereof, no such measure shall pass until the Act, Rule or Regulation proposed, shall after the first reading thereof have been printed and published at least eight days.

XLVII. And be it further enacted by the authority aforesaid, That any Rule or Regulation of the said Corporation for the infraction of which any penalty is inflicted, before it shall have any effect, shall be published in the Upper Canada Gazette, and such other Newspapers in the said City as the Corporation shall think fit.

XLVIII. And be it further enacted by the authority aforesaid, That immediately after any Act shall be passed by the Common Council it shall be signed by the Mayor, and sealed with the Seal of the City and enrolled, and such Act shall thenceforth go into effect as a Law of the

City of Toronto; and all such Laws, together with this Act, and all other Acts of Parliament particularly relating to the said City or the Liberties thereof, shall be entered verbatim in one or more Books to be procured and kept for that purpose among the archives of the said City, and be open to the public for inspection at all reasonable hours on payment to the Clerk of six pence, and no more, for every examination.

XLIX. And be it further enacted by the authority aforesaid, That there shall be at least four Sessions of the Court of Common Council, held every year, which shall commence respectively, on the third Monday in February, May, August and November, in each year.

L. And be it further enacted by the authority aforesaid, That it shall be lawful for the Mayor of the said City to call Special Meetings of the Common Council, and in case of his death or removal from the City, it shall be lawful for the remaining Aldermen, at a Special Meeting to be summoned by the Clerk of the Common Council for that purpose, within three days to elect from among themselves a Successor to such Mayor, who shall hold his office for the remainder of the term of service of his immediate predecessor, which Mayor shall be sworn into office by any one of the Judges of any one of His Majesty's Superior Courts of Law or Equity, having general jurisdiction throughout the Province.

LI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Common Council of the said City, to give and grant unto the Mayor thereof, for the time being, in lieu of all fees and perquisites, such salary not exceeding five hundred pounds, and not less than one hundred pounds, as such Common Council shall think fit, payable half yearly out of the funds of the said City, in the hands of the Chamberlain of the said City.

LII. And be it further enacted by the authority aforesaid, That the said Common Council shall be, and is hereby declared to be a Court of Record, and shall have the same power to punish for contempt, as is by Law vested in any other Courts of Record.

LIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Common Council of the said City annually, on the third Monday in February, to appoint one Chamberlain and one High Bailiff in and for the said City, who shall each hold his office for one year and until the appointment of a successor: Provided always, that it shall and may be lawful for the said Common Council to remove either of such officers for misconduct and to appoint another in the place of such removed officer: And provided also, that in the event of either of the said offices becoming vacant by death, resignation or removal from the said City or the Liberties thereof, it shall be lawful for the said Common Council to appoint to the vacant office: Provided also, that the Chamberlain or High Bailiff thus appointed shall hold his office by virtue of such appointment only for the residue of the term of office of his immediate predecessor: And provided also, that nothing in this clause contained shall be construed to prevent the Common Council to appoint the Treasurer of the Home District, for the time being, to the office of Chamberlain of the said City, if the said Common Council shall see fit.

LIV. And be it further enacted by the authority aforesaid, That the Mayor, Aldermen and Common Councilmen of the City of Toronto, in Common Council convened, shall and may from time to time, and at all times forever hereafter, choose and appoint a Clerk, to be Clerk of the Common Council of the City of Toronto, and remove such Clerk and appoint another from time to time as often as the Common Council shall deem fit so to do, which said Clerk, so to be chosen or appointed, shall receive have and take charge of and keep such writings and papers belonging to the Mayor, Aldermen and Common Councilmen of the City of Toronto, as the Mayor or the said Common Councilmen shall from time to time direct or order to be delivered to and kept by the said Clerk so from time to time to be appointed, under the direction and subject to the order and controul of the said Common Council.

LV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Common Council from time to time to appoint one or more Clerks of the Market or Markets; one Surveyor of Streets; one Harbour Master; one or more Inspectors of Beef, Pork, Flour, Pot and Pearl Ashes; and one Pound Keeper for the said City; and one Assessor and one Collector for each Ward of the said City and the Liberties thereof: and to prescribe the duties of such officers respectively, and at their pleasure to remove any such officer and appoint another in his place; and that so much of the Acts of the Parliament of this Province as may regard the nomination and appointment of any such officer or officers for that part of the Province hereby declared to be the City of Toronto and the Liberties thereof, shall be and the same are hereby repealed: Provided always nevertheless, that the Assessors and Collectors to be appointed for the said City and Liberties, and the Clerk of the Common Council respectively, shall perform all such duties as before the passing of this Act were to be performed by the Assessor and Collector for the Town of York, or for the Township of York, and by the Clerk of the Peace for the Home District respectively, in order to the collecting and paying over into the general funds of the Home District the Rates and Assessments to be levied and raised upon the Inhabitants of the said City and Liberties under the general Assessment Acts of this Province, which Rates and Assessments shall continue to be paid and applied as before the passing of this Act; and that the said Common Council shall make such order as may be necessary respecting the paying over and accounting for the said Rates and Assessments by the Collectors, or Chamberlain and other proper officer, to the Treasurer of the Home District.

LVI. And be it further enacted by the authority aforesaid, That if any person shall refuse to pay the sum or Rate for which he or she stands Rated in manner aforesaid for the space of ten days, after demand duly made of the same by the Collector to be appointed by the said Corporation for that purpose, the said Collector shall, and he is hereby required, to levy the same by distress and sale of the goods and chattels of the person so neglecting or refusing to pay, after having obtained a warrant for that purpose from the Mayor, or some one of the Aldermen, who is hereby authorised to grant the same upon information made on oath before him of the neglect or refusal to pay the said Assessment, and to render the overplus, if any there shall be over and above the said Rate, to the owner thereof, after deducting the legal charges of the distress and sale.

LVII. And be it further enacted by the authority aforesaid, That the Common Council of the said City shall from time to time employ so many Constables for the said City as to them may seem necessary and proper, and pay them such sum per annum for their services as to the said Common Council shall appear just; and shall allow to the Collectors, Assessors, and other inferior officers of the said City, such remuneration as to them shall seem meet.

LVIII. And be it further enacted by the authority aforesaid, That the Chamberlain of the said City for the duties imposed upon him by this Act, or any Act of Common Council, shall be entitled to retain and deduct out of all monies received by him under the provisions of this or any other Act, such per centage as the Common Council shall from time to time order and direct; and shall account for the said monies to the Common Council in such manner as they shall direct.

LIX. And be it further enacted by the authority aforesaid, That the Common Council shall be required to publish annually a detailed account of the state of the Finances of the said City, and also a detailed account of the receipt and expenditure of all sums of money that may have been paid into the City Treasury.

LX. And be it further enacted by the authority aforesaid, That the High Bailiff of the said City for the duties imposed upon him by this Act, or any Act of the Common Council, shall be entitled to receive such salary, fees and perquisites, as the said Common Council shall from time to time order and direct.

LXI. And be it further enacted by the authority aforesaid, That the Clerk of the Common Council shall be by virtue of his said office Clerk of the Peace in and for the said City, and shall perform all the duties of such office within the said City incident to the office of Clerk of the Peace of any District in this Province.

LXII. And be it further enacted by the authority aforesaid, That the Assessor or Assessors so appointed, in addition to the duties devolving upon them by any Act of the Parliament of this Province, shall make a return of the Assessment Roll of their respective Wards to the Clerk of Tuesday in March in each year, upon demand, furnish the Collector or the Common Council, and that the said Clerk shall, on or before the third Collectors of each Ward appointed as aforesaid, with true copies duly certified of such Assessment Rolls.

LXIII. And be it further enacted by the authority aforesaid, That the said Collector or Collectors shall be required to enter into good and sufficient security to the City of Toronto, to such amount as the Common Council may from time to time order and direct, well and faithfully to discharge his trusts, and truly to account to the Chamberlain of the said City for all moneys levied or collected by him under the provisions of this Act, or of any other Act of the Parliament of this Province.

LXIV. And be it further enacted by the authority aforesaid, That neither the High Bailiff nor the Constables of the said City shall be liable for any penalty for not attending Courts, other

than the City Courts, as officers thereof, and the Courts of Assize and Nisi Prius, Oyer and Terminer and general Gaol Delivery for the Home District.

LXV. And be it further enacted by the authority aforesaid, That the High Bailiff and City Constables shall be bound to obey the orders of the Mayor and Aldermen, or any or either of them, in enforcing the Laws of this Province and the Ordinances of the said City.

LXVI. And be it further enacted by the authority aforesaid, That the Mayor and Aldermen of the said City shall, by virtue of their respective offices, be Justices of the Peace in and for the said City and the Liberties thereof.

LXVII. And be it further enacted by the authority aforesaid, That the Justices of the Peace in and for the Home District, as such, shall exercise no jurisdiction over offences committed within the City of Toronto or the Liberties thereof, any law or usage to the contrary thereof notwithstanding: Provided always, that nothing herein contained shall be construed to prevent the general or adjourned Quarter Sessions of the Peace for the Home District being held within the limits of the said City or the Liberties thereof; And provided also, that a warrant for apprehension or commitment of any offender or offenders, made by any Justice of the Peace for the Home District, or by the Mayor or any Aldermen of the said City acting within his jurisdiction respectively, may be executed, and shall have force any where within the Home District, any thing herein contained to the contrary thereof in any wise notwithstanding.

LXVIII. And be it further enacted by the authority aforesaid, That it shall be lawful for the Mayor and Common Council of the City of Toronto, to regulate and license owners of Livery Stables, and to regulate and license the owners and keepers of Hackney Coaches, and of Horses, Pheatons, Chairs, Sleighs, Sleds, Waggons, Carts and Carriages of every description, used for hire or reward in the said City or the Liberties thereof.

LXIX. And be it further enacted by the authority aforesaid, That upon the trial of any issue, or upon the taking or making of any Inquisition, or upon the judicial investigation of any facts whatever, to which issue, inquest or investigation, the said City, or the Mayor, Aldermen and Common Council thereof, or either of them are a party, or in which they are interested, no person shall be deemed an incompetent Witness or Juror, by reason of his being an Inhabitant Freeholder or Freeman of the said City, and that if any person shall be sued or impleaded, by reason of any thing done by virtue of this Act, it shall be lawful for such person to plead the general issue, and to give this Act and the special matter in evidence at the trial.

LXX. And be it further enacted by the authority aforesaid, That the penalties which may be imposed under the authority of this Act, shall be applied to the uses of the said City, and shall be recoverable with costs, upon conviction before the Mayor or any one of the Aldermen of the said City, the Defendant being first duly summoned, and the offence proved by the oath of a witness or witnesses, or by confession of the party; and in default of goods

and chattels, upon which to levy the amount, under a warrant to be issued upon any such conviction, and also in cases where the offender shall be adjudged to be imprisoned under the authority of this Act, the Mayor or Alderman before whom he shall be convicted, or any other Alderman in pursuance of the conviction, may issue his warrant for commitment of the party to the Gaol of the Home District, or to any prison or house of correction which may belong to the said City, for the period mentioned in such conviction, provided that such imprisonment shall not exceed the period hereinbefore limited by this Act.

LXXI. And be it further enacted by the authority aforesaid, That it shall be lawful for the said Common Council, from time to time to appoint so many of the Members thereof as shall be thought necessary to form a Board of Health, to aid and assist the Mayor of the said City to carry into effect the provisions of the Statutes which now are or may be passed, to preserve the health of the said City, and to prevent the introduction and spreading of infectious and pestilential diseases in the same; and the said Board, in conjunction with the Mayor, shall have the like powers and authority for the purposes aforesaid, as are vested in Boards of Health, established under the provisions of an Act passed in the third year of His present Majesty's reign, entitled "An Act to establish Boards of Health, and to guard against the introduction of malignant, contagious and infectious diseases in this Province."

LXXII. And be it further enacted by the authority aforesaid, That the person appointed as aforesaid Clerk of the Market or Markets shall, during his continuance as such Clerk, under the direction of the Mayor, inspect the Weights, Measures and Balances, that shall or may be used in any Market or Markets in the said City of Toronto, and seize and destroy such as are not according to the established standard; and also inspect all Meats that may be exposed for sale in such Market or Markets, and seize and destroy such as may be tainted or otherwise unfit to eat; and also inspect the Stalls in such Market or Markets, and cause the occupants to keep them clean; and also to enquire into the conduct of all persons who shall expose for sale or vend any provisions in such Market or Markets, and whether they or any of them are guilty of any infraction of the By-Laws of the Common Council, and report all offenders against such By-Laws to the Clerk of the Common Council, whose duty it shall be forthwith to prosecute the offenders for the penalties annexed to their several offences.

LXXIII. And be it further enacted by the authority aforesaid, That the said Common Council shall have the right of establishing, licensing and regulating all Ferries between the City of Toronto aforesaid, and the Peninsula or Island forming the Port of Toronto, exclusively vested in them.

LXXIV. And be it further enacted by the authority aforesaid, That the Mayor and Aldermen, or any one or more of them, shall have full power and authority to take up, arrest, or order to be taken up and arrested, all and any Rogues, Vagabonds, Drunkards, and disorderly persons, and as the said Mayor or Alderman, or any two of them, shall see cause to order all or any such Rogues, Vagabonds, Drunkards and disorderly persons to be committed to any Workhouse that may hereafter be erected, or else to any House of Correction, there to

receive such punishment, not exceeding one months imprisonment, or the common Stocks, as the said Mayor and Aldermen, or any two of them, shall think fit.

LXXV. And be it further enacted by the authority aforesaid, That it shall be lawful for the said Common Council of the said City, to allow such salaries or perquisites of office to the different Officers appointed by the said Common Council as they shall deem just and reasonable: Provided that nothing in this section contained shall apply to the salaries of the Mayor or Chamberlain.

LXXVI. And be it further enacted by the authority aforesaid, That the Mayor and Aldermen acting as Justices of the Peace for the said City shall discharge the duty heretofore discharged by the Justices of the Peace for the Home District, in regard to the licensing Inn-keepers within the said City and Liberties, and the determining the sum to be paid by each Inn-keeper for his license to the Inspector of Licenses for the Home District; which sum shall be paid and applied and the license granted in the same manner as in regard to Inn-keepers residing in any other part of the Home District.

LXXVII. And be it further enacted by the authority aforesaid, That there shall be a Court of Record, called the Mayor's Court of the City of Toronto, wherein the Mayor, for the time being, shall preside, assisted by the Aldermen of the said City, or any one of them.

LXXVIII. And be it further enacted by the authority aforesaid, That the said Court shall in all cases possess the like powers and have the same jurisdiction over crimes and misdemeanors arising within the City of Toronto and the Liberties thereof, which the Courts of general Quarter Sessions of the Peace within this Province now or hereafter shall have by law.

LXXIX. And be it further enacted by the authority aforesaid, That the said Court shall meet in the said City the second Monday after the opening of the four regular sittings of the Common Council in each year.

LXXX. And be it further enacted by the authority aforesaid, That the Grand Jury of the said Court shall consist of twenty-four persons, to be Summoned by the High Bailiff, under a Precept signed by the Mayor, in the same manner as Grand Juries of the Quarter Sessions are summoned by a Sheriff of any District of this Province.

LXXXI. And be it further enacted by the authority aforesaid, That the panel of Petit Jurors shall consist of not less than thirty-six nor more than sixty Jurors, to be Summoned by the High Bailiff under a Precept signed by the Mayor, in the same manner as Petit Jurors of the Quarter Sessions for the different Districts of this Province are Summoned by the Sheriffs of the respective Districts.

LXXXII. And be it further enacted by the authority aforesaid, That such persons only residing in the said City or the Liberties thereof, shall be summoned to compose the Grand and Petit

Juries of the said Mayor's Court, as are at present or hereafter may be liable to be summoned as Grand or Petit Jurors in any Court of this Province.

LXXXIII. And be it further enacted by the authority aforesaid, That the Clerk of the said Common Council shall also perform in person or by deputy, the duties of Clerk of the Mayor's Court, at such rate and on such terms as to the Common Council may seem meet and proper.

LXXXIV. And be it further enacted by the authority aforesaid, That the Grand Jury shall have all the powers and authority over offences committed in the City of Toronto and the Liberties thereof, which Grand Juries for the General Quarter Sessions of any District in this Province now or hereafter may have.

LXXXV. And be it further enacted by the authority aforesaid, That the like process and proceedings now had in the said General Quarter Sessions in criminal cases, shall and may be used in the said Mayor's Court when exercising criminal jurisdiction, and the like power to take recognizance, and all other powers and duties incidental to such jurisdiction, and which the said Courts of General Quarter Sessions now or hereafter may possess by Law, together with the powers granted by this Act, are hereby vested in the said Mayor's Court, so far as regards any offences, crimes and misdemeanors, arising or committed within the said City or the Liberties thereof.

LXXXVI. And be it further enacted by the authority aforesaid, That upon the acquittal of any Defendant or Defendants in the said Court, the Mayor or presiding officer thereof shall, upon its appearing to the satisfaction of the said Court that there was a reasonable or probable cause for such prosecution, order the costs thereof to be taxed by the Clerk of the said Court, to be paid out of the funds of the said City.

LXXXVII. And be it further enacted by the authority aforesaid, That the Market Square, containing about four acres and a half, formerly granted by Patent to the Honorable Henry Alcock, the Honorable Peter Russel, the Honorable Aeneas (pg. 100) Shaw, and the Honorable John McGill, and which by an Act of the Parliament of the Province, passed in the first year of the reign of His present Majesty, entitled, "An Act for vesting in Trustees the Market Square in the Town of York, for the benefit of the Inhabitants of the said Town," was vested in the Church and Town Wardens; and also the Lot in and by the said Act vested in the Trustees of the Common School, shall be, and the same are hereby conveyed to and vested in the said City of Toronto, to hold to the said City of Toronto forever, to and for the public uses of the said City, to be superintended and managed as the said City by Act of Common Council shall or may from time to time direct.

LXXXVIII. And be it further enacted by the authority aforesaid, That the said City of Toronto shall be, and is hereby declared to be, liable for the payment of so much as shall still remain due, either for principal or interest, of a loan heretofore contracted under the authority of the Magistrates of the Home District, for the erection of the new Market Buildings in the

said Town of York; and that until the said City shall pay up and fully discharge the principal and interest of the said loan, and of any other loans raised specifically upon the security of the Market Buildings and the ground rents of the Market Square, the rents now due or hereafter to accrue, either under the leases already made or hereafter to be made, of any part or portion of the said Market House or Market Place, or building or conveniences connected therewith, or of any part or portion of the Market Square, shall be paid, and shall in any future leases be made payable into the hands of the Treasurer of the Home District, to be applied in liquidation of the said loans and of the interest thereon.

LXXXIX. And be it further enacted by the authority aforesaid, That the Inhabitants of the said City and the Liberties thereof shall at all times hereafter be exempt from serving on Juries at any other than the City Courts and the Courts of Oyer and Terminer and General Gaol Delivery, and Courts of Assize and Nisi Prius, for the Home District.

XC. And be it further enacted by the authority aforesaid, That all the Municipal Officers of the said City, and all the members of any Fire Companies to be established in the said City or the liberties thereof, under the authority of this Act, shall be exempt from all Militia duty under any Law in force or hereafter to be passed for raising, training or regulating a Militia in this Province, except in case of actual invasion.

XCI. And be it further enacted by the authority aforesaid, That any officer or officers, elect of the said City, refusing to take the oath or affirmation of office when thereto required, shall be deemed to have vacated his office, and a new election or appointment shall be had for such office: Provided always, that nothing herein contained shall prevent such person so refusing from being proceeded against for refusing to take upon himself such office.

XCII. And be it further enacted by the authority aforesaid, That no person of sixty years of age or upwards shall be compelled to serve in any municipal office in and for the said City of Toronto.

XCIII. And be it further enacted by the authority aforesaid, That the present Gaol and Court House of the Home District shall be and continue to be the Gaol and Court House of the said City, as well as of the said Home District, until the said City shall by Act of Common Council otherwise direct; and the Sheriff and Gaoler of the said District shall be bound to receive and safely keep, until duly discharged, all persons committed thereto by any competent power or authority of the said City.

XCIV. And be it further enacted by the authority aforesaid, That the first Election for Aldermen and Common Councilmen shall take place within three calendar months after the passing of this Act, at such time and place within each of the said Wards respectively, as the Governor, Lieutenant Governor, or Person administering the Government for the time being shall, by Royal Proclamation, think fit to appoint, giving eight days public notice thereof, and shall be holden by such persons as the Sheriff of the Home District for the time being shall appoint: Provided always, that the Mayor, Aldermen, and Common Councilmen first elected

under the authority of this Act, shall hold their respective offices only until the first Monday in February next ensuing such Election.

XCV. And be it further enacted by the authority aforesaid, That the non-election of Mayor, or any other Officers of the said City, at the time fixed in this Act, shall not be deemed a forfeiture of the Charter of the said City, but that it shall be lawful at any other time, within one calendar month, to hold an election of such Mayor or other Officer agreeably to this Act and to the laws and regulations of the said City.

XCVI. And be it further enacted by the authority aforesaid, That the said City and the Liberties thereof, as established by this Act, shall be represented in the Provincial Parliament by one Member, who shall be elected in lieu of and according to the laws now in force for the election of a Member to represent the said Town of York: Provided always, that no person shall have a right to vote for a Member to represent the County of York, or any Riding thereof, in respect to any property situate within the limits of the City of Toronto or the Liberties thereof.

XCVII. And be it further enacted by the authority aforesaid, That whenever in any Act of Parliament, Proclamation, Letters Patent, Record, Writ or other legal proceeding, Deed, Will, Instrument, or Writing of any kind or description, the name of "York" is or shall be used, with intention to apply it to the place commonly called the Town of York in this Province, or to any part of the Township of York, included by this Act within the said City or the Liberties thereof, the City of Toronto or the Liberties thereof shall, according to the locality, be taken to have been meant and intended, and the name Toronto shall, to all intents and for all purposes, stand in the contemplation of Law in the stead and place of York, whenever the name of York is applied to any place within the said City of Toronto or the Liberties thereof, and shall be so understood and applied by all Courts, Judges and Justices, and by all persons concerned in any public act or duty; and that it shall be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to give to any Village, Town, Township or place in this Province, now bearing the name of Toronto, such other name or names as to him may seem fit; and from the time of such name or names being changed, by official notification in the Upper Canada Gazette, all and every the provisions in this clause contained for carrying the change of name into effect, with respect to the City and Liberties of Toronto, shall in like manner apply to and be in force in respect to such other place or places of which the name may be changed, according to the nature of the case.