

the boundaries of the said Township of Brighton, and from and after the first day of January next after the teste of such Proclamation, the territory included within such boundaries shall be and is hereby declared to have been the Township of Brighton, as if the said description had been included in the said Act.

The Governor may divide St. Patrick's Ward in the City of Toronto into two Wards.

III. And whereas the Common Council of the City of Toronto, by their petition, have, for two successive years, prayed that St. Patrick's Ward in the City may be divided into two Wards: Be it therefore enacted, That it shall and may be lawful for the Governor of this Province, by an Order in Council, to issue a Proclamation under the Great Seal of this Province, dividing the said Ward into two Wards, and declaring by what names such Wards shall thenceforth be known and called, and from and after the first day of January next after the teste of such Proclamation, the said Wards so to be named and described in such Proclamation, shall be considered as separate Wards of the said City, in the same manner as if they had been originally mentioned and described as such separate Wards in the Upper Canada Municipal Corporations Act of one thousand eight hundred and forty-nine, and Elections shall be held in and for the said Wards on the first Monday in January next after the teste of such Proclamation, in the same manner as for any other Wards in the said City, and the persons whose names shall be entered on the Collector's Roll for St. Patrick's Ward for the year one thousand eight hundred and fifty-two, residing within each of such Wards respectively, at the time of holding the Elections therefor, and otherwise by law qualified to vote at Municipal Elections, shall be allowed to vote at the Election to be held in such Wards respectively, on the said first Monday in January.

## C A P . X X X I I .

An Act to authorize the City of Kingston to negotiate a Loan of Seventy-five Thousand Pounds to consolidate the City Debt, and for other purposes.

[10th November, 1852.]

Preamble.

**W**HEREAS the City of Kingston have petitioned to be authorized by law to borrow on the debentures of the said City, a sum not exceeding seventy-five thousand pounds, for certain purposes and under certain restrictions in the said petition set forth, and it is expedient that the prayer of their said petition should be granted: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower*

*Lower Canada, and for the Government of Canada,* and it is hereby enacted by the authority of the same, That it shall and may be lawful to and for the Corporation of the City of Kingston, to raise by way of Loan upon the credit of the debentures hereinafter mentioned, from any person or persons, body or bodies corporate, either in this Province, in Great Britain or elsewhere, who may be willing to lend the same, a sum of money not exceeding the sum of seventy-five thousand pounds of lawful money of Canada.

City of Kingston authorized to borrow £75,000 on Debentures.

II. And be it enacted, That it shall and may be lawful for the Mayor of the said City of Kingston for the time being, to cause to be issued debentures of the said City, under the Corporation Seal, signed by the Mayor and counter-signed by the Chamberlain of the said City for the time being, in such sums, not exceeding in the whole the said sum of seventy-five thousand pounds, as the Common Council shall direct and appoint, and that the principal sum secured by the said debentures and the interest accruing thereon, shall be made payable either in this Province, in Great Britain or elsewhere, as the said Common Council shall deem expedient or necessary.

Form of Debentures.

III. And be it enacted, That so much of the said Loan so to be raised as aforesaid, as shall be necessary for the purpose, shall be applied by the said City of Kingston, in the payment of the debt due or to become due on account of the English Loan of twenty thousand pounds, sterling; the debt due the Commercial Bank of the Midland District, amounting to fourteen thousand pounds, currency, or thereabouts, and all such promissory notes, debentures and other debts as are now due and payable, including the sum of two thousand five hundred pounds hereinafter mentioned, and the remainder of the said loan, after paying off all the debts due by the said City, shall be applied in aid of any Rail-ways and macadamized Roads now or hereafter to be constructed, and leading to or from the City of Kingston, and for no other purpose whatever.

Part of the said Loan appropriated to certain purposes.

IV. And be it enacted, That the funds derived from the negotiation of the said debentures so to be appropriated as aforesaid, shall, when received, be deposited by the Chamberlain of the said City for the time being, in the Commercial Bank of the Midland District at Kingston, on such conditions as the said Common Council shall from time to time agree upon, and only be withdrawn therefrom as they may from time to time be required for the payment and redemption of the said promissory notes, debentures and debts in the next preceding section of this Act mentioned.

Moneys raised to be deposited in Commercial Bank until required.

V. And be it enacted, That the sum of two thousand five hundred pounds of the said Loan so to be raised as aforesaid, shall be specially applied in payment of one hundred shares in the capital stock of "The Wolfe Island Rail-way and Canal

£2,500 to be applied to pay for certain Rail-road Shares.

Company," for which debentures have been given under authority of a By-Law of the Common Council of the said City, made in that behalf.

Council empowered to repeal a certain By-law

VI. And be it enacted, That for and notwithstanding any provision, clause, matter or thing contained in any Act of Parliament of this Province to the contrary, it shall and may be lawful for the Common Council of the said City of Kingston, after having called in the debentures described in the next preceding section, to repeal the By-law of the said Council authorizing the same and declaring the levy of a special rate for the payment thereof, and also to repeal a certain other By-law of the said Common Council, if they shall see fit so to do, providing for the issue of debentures to the amount of one thousand pounds, for the improvement of "Division" and other streets, and levying a rate for the said one thousand pounds; and for the payment, satisfaction and discharge of the debentures issued by virtue of this Act, it shall and may be lawful for the Common Council of the said City, in a By-law to be passed authorizing the said Loan of seventy-five thousand pounds, or any part thereof, and the issuing of the debentures therefor, to impose a special rate per annum to be called, "The Consolidated Loan Rate," over and above, and in addition to all other rates to be levied in each year, which shall be sufficient to form a Sinking Fund of two per cent per annum for that purpose.

And to impose a special rate to form a Sinking Fund.

Sinking Fund how to be invested and managed.

VII. And be it enacted, That it shall be the duty of the Chamberlain of the said City of Kingston, from time to time, to invest all sums of money raised by special rate for the Sinking Fund provided in the next preceding section, either in the debentures to be issued under this Act, or in any debentures issued by the Government of Canada, or in such other securities as the Governor of this Province shall, by order in Council, direct or appoint, and to apply all such dividends or interest on the said Sinking Fund to the extinction of the debt created under this Act.

By-law authorizing the Loan not to be repealed until the loan be paid off.

VIII. And be it enacted, That any By-law to be passed under the sixth section of this Act, authorizing the said loan of seventy-five thousand pounds, or any part thereof, shall not be repealed until the debt created under this Act and the interest thereon shall be paid and satisfied, and that the one hundred and seventy-eighth section of the Municipal Corporations Act of Upper Canada shall extend to any By-law passed under this Act.