

in the opinion of such Municipal Council be sufficiently interested to warrant them in taking such stock or lending such money for the advancement of such enterprize; all dividends, interests and proceeds to arise or be received from such stock or loan being at all times applicable to the general purposes of such Municipal Council, and to go in reduction of the rates required to be levied for such purposes.

As to Divi-
dends, interest,
&c.

Twentiethly. For the imposing fines not exceeding in any case ten pounds, currency, for the breach of all or any of the By-laws or Regulations of such Municipal Council.

Fines.

Twenty-firstly. For borrowing under the restriction and upon the security hereinafter mentioned, all such sums of money as shall or may be necessary for the execution of any County work within their jurisdiction and the scope of the authority by this Act conferred upon them.

Borrowing
moneys.

Twenty-secondly. For raising, levying, collecting and appropriating such moneys as may be required for all or any of the purposes aforesaid, either by way of tolls to be paid on any County Bridge, road or other public work, to defray the expense of making, repairing or maintaining the same, or by means of a rate or rates to be assessed equally on the whole rateable property of such County liable to assessment, according to any law which shall be in force in Upper Canada concerning Rates and Assessments.

Levying
moneys.

Twenty-thirdly. For the repeal, alteration or amendment from time to time of all or any of such By-laws, and the making others in lieu thereof as to them may seem expedient for the good of the inhabitants of such County.

Repealing or
amending By-
laws.

III. POLICE VILLAGES.

XLII. And be it enacted, That it shall and may be lawful for the Municipal Council of any County, by By-law to be passed upon the petition of any number of the inhabitants of any unincorporated Village or Hamlet, situate in such County, or for the Municipal Councils of any two or more Counties, upon any such petitions from the inhabitants of any unincorporated Village or Hamlet situate partly within one of such Counties and partly within another or others of them, to define the limits within which in respect to such Village or Hamlet there is, in the opinion of such Municipal Council or Municipal Councils, a resident population sufficient to make it expedient that the provisions of this Act for the regulation and Police of unincorporated Villages should be applied to such Village or Hamlet, and in every such By-law such Municipal Council or Councils, shall fix the place in such Village or Hamlet, where the first annual election of Police Trustees, under the authority of this Act, shall be held for such Village, the person who shall preside at such meeting, and the hour at which such meeting shall be opened for that purpose.

County Muni-
cipal Councils
may define
limits of villa-
ges, &c.

And fix place
of first election,
&c.

XLIII. And be it enacted, That on the second Monday in January next after the end of three calendar months from the passing of such By-law or By-laws, as the case may require, and annually, on the second Monday of January in each and every year thereafter, until such Village shall be incorporated under the provisions of this Act, it shall and may be lawful for the resident freeholders and householders of such unincorporated Village to assemble at the time and place appointed for that purpose, and to proceed to elect from among themselves three Police Trustees for such Village, which
three

Meeting for
election of
Police Trus-
tees.

Appointment
of Inspecting
Trustee.

three Trustees, or any two of them, by a Memorandum in writing under their hands to be filed with the Township Clerk of the Township in which such Village is situate, or when such Village is situate within two or more Townships, then to be filed with the Township Clerk of some one of such Townships, shall, within a reasonable time after the election, nominate and appoint one of their number to be the Inspecting Trustee of such Village.

Township
Collector to
deliver a copy
of the roll of
freeholders
and house-
holders to the
person presi-
ding at the
election.

Attestation of
such copy.

XLIV. And be it enacted, That it shall be the duty of the Collector and Collectors of the Township or Townships within which such unincorporated Village shall be situate, whether appointed under this Act or before the passing thereof, to deliver to the person appointed to preside at any such election, or to any person by him appointed to receive the same, a fair copy of the Collector's Roll made up next before such election, so far as such Roll contains the names of the resident freeholders and householders of such unincorporated Village, with the amount for which they shall be assessed upon such Rolls; which copy shall be verified by affidavit or affirmation appended to, or endorsed upon such copy, and sworn or affirmed before any Justice of the Peace for the County, to the effect, that the same is a true copy of such Roll, so far as relates to the unincorporated Village for which such election is to be held, and that it includes the names of all the resident freeholders and householders in such unincorporated village, and the amount for which they shall have been assessed as entered upon such Roll, and the persons entitled to vote or be elected at such election shall be those whose names are upon the said Roll or Rolls thus verified, and who shall continue at the time of the election to be resident in such Village: Provided always, firstly, that the holder or occupier of any separate portion of a house having a distinct communication with a road or street, by an outer door, shall be considered a householder within the meaning of this Act in case he shall be assessed therefor, as a house upon such Collector's Roll or Rolls as aforesaid: And provided also, secondly, that no person shall be qualified to be elected at any such election of Trustees who shall not have been entered upon such Roll or Rolls as aforesaid, for rateable property held in his own right or that of his wife as proprietor or tenant, to the value of one hundred pounds of lawful money of Canada.

Proviso as to
Tenants of
parts of hou-
ses.

Proviso as to
qualification of
electors.

Appointment
of persons to
preside at
annual elec-
tions.

XLV. And be it enacted, That at every subsequent annual election of Police Trustees for such unincorporated Village after the first, the person to preside at such election, and the hour at which the same shall commence, shall be appointed by the Trustees for the preceding year or any two of them under their hands, of which due notice shall by them be given by written or printed notices thereof, to be put up in at least three of the most public places in such unincorporated Village.

Provision in
case of absence
of person ap-
pointed to
preside at
election.

XLVI. And be it enacted, That if at the time and place appointed for any first or subsequent election of Trustees, for any such unincorporated Village, the person appointed to preside thereat shall not attend within one hour after the time appointed for commencing the proceedings, the resident inhabitant freeholders and householders of such Village, or a majority of them may, if they think proper, proceed to nominate a person to preside at such meeting, and the election of Trustees for such year shall be held by such person, as if he had been the person appointed by the Municipal Council of the County or by the Trustees for the preceding year as aforesaid.

Provision in
case of vacan-
cy among the

XLVII. And be it enacted, That upon the happening of any vacancy by death or otherwise, amongst the Police Trustees of any such unincorporated Village in the course

course of the year for which they shall have been elected, it shall and may be lawful for the remaining Trustee or Trustees by a memorandum in writing, to be filed with such Township Clerk as aforesaid, to supply such vacancy by the appointment of Trustees or a Trustee in their or his place, which Trustees or Trustee so appointed, shall hold his office to the end of the term of office of the person in whose place he shall have been appointed, and no longer, and shall, during the time he shall hold the same, possess all the authority of such person.

Police Trustees.

XLVIII. And be it enacted, That any Inspecting or other Trustee of any of the said unincorporated Villages, who shall wilfully neglect or omit to fulfil any of the duties hereby imposed upon him, or to prosecute any offender against the Regulations of Police hereinafter established, for such unincorporated Villages, at the request of any inhabitant householder, offering to adduce proof of the offence, shall, on being thereof convicted in manner hereinafter provided, incur a penalty of twenty shillings, currency.

Penalty against Trustees for neglect of duty.

XLIX. And be it enacted, That the penalties prescribed in and by the next immediately preceding section of this Act, or under that for the establishment of Regulations of Police for such unincorporated Villages, shall be sued for within ten days after the offence for which they shall have been incurred shall have ceased, and not afterwards.

Penalties to be sued for within a certain time.

L. And be it enacted, That all penalties incurred by any person or persons, under any of the Regulations of Police, by the next succeeding section of this Act, established for such unincorporated Villages, shall be sued for and recovered by the Inspecting Trustee of Police of such Village, or in his absence, or when he shall be the party complained against, then by some other of such Trustees before any one Justice of the Peace having jurisdiction and residing within five miles of such Village, if any there be, or else before any other Justice of the Peace having jurisdiction as such, in such Village, who shall hear and determine such information in a summary manner, and upon the oath or affirmation of one or more credible witnesses, and shall cause such penalty to be levied by distress and sale of the goods of the offender; and the whole of such penalty shall be applied to the repairs and improvement of the streets and lanes of such Village, under the direction of the Police Trustees thereof, and by the Pathmaster or Pathmasters of the division or divisions to which such Village shall belong, to whom or such of them as shall be appointed by such Trustees for that purpose, such penalty shall be paid over for that purpose.

Penalties to be sued for and recovered by Inspecting Trustee.

How levied.
How applied.

LI. And be it enacted, That it shall be the duty of the Police Trustees of every such unincorporated Village to execute and enforce, and cause to be executed and enforced, within the limits of such Village, the Regulations of Police herein and hereby provided and established for all such Villages, that is to say:

Police regulations to be enforced with respect to—

Firstly. All and every the proprietors and proprietor of a house or houses of more than one story in height, in any of the said Villages, shall place or cause to be placed a ladder or ladders on the roof of their respective houses, near to or adjoining the chimney or chimneys thereof, and another ladder reaching from the ground to the roof of each and every of their respective houses as aforesaid, under the penalty of five shillings currency, for every neglect so to do, and of ten shillings currency, for each and every week during which they shall neglect to provide themselves with such ladder or ladders as aforesaid.

Ladders on roofs;

Secondly.

Buckets;

Secondly. All and every householder or householders in the said Villages shall be held to furnish and provide himself or themselves with two buckets, fit and proper for carrying water, in case of accidents by fire, under the penalty of five shillings currency, for each bucket which may be deficient.

Bakers, Brewers, &c.

Thirdly. It shall not be lawful for any baker, potter, brewer, manufacturer of pot and pearl ashes, or any other person, to build, make or cause to be built and constructed, any oven or furnace within the limits of any of the aforesaid Villages, unless the same adjoin and be properly connected with a chimney of stone or brick, which chimney shall rise at least three feet higher than the house or building in which the said oven or furnace may be, and three feet higher than any building within one chain of the said oven or furnace, under a penalty which shall not exceed ten shillings currency, and for non compliance with this regulation, the offender shall incur a penalty of fifteen shillings currency, for each week during which he shall neglect to comply therewith.

Stove pipes;

Fourthly. It shall not be lawful for any person in any of the said Villages to conduct any stove pipe through any wooden or lathed partition or through any floor, unless there be a space of six inches between the pipe and the partition or floor, or the nearest wood-work, and the pipe of every stove shall be inserted into a chimney, and there shall be left at least ten inches in the clear between any stove and any wooden or lathed partitions, or other wood-work, and each and every person offending against this regulation shall incur a penalty of ten shillings currency.

Entering certain places with candles, &c.

Fifthly. Any person or persons who shall enter into any mill, barn, out-house or stable within the limits of any of the said Villages with a lighted candle or lamp, without having the same well inclosed in a lantern, shall for every such offence incur a penalty of five shillings currency, and any person or persons who shall enter into any mill, barn, stable or out-house, within the limits of any of the said Villages with a lighted pipe or cigar, or carry fire not properly secured into such barn, stable or out-house, shall for every such offence incur a penalty of five shillings currency.

Lighting fires in wooden houses, &c.

Sixthly. No person or persons shall be allowed to light or have a fire in any wooden house or out-house, of any description, within the limits of any of the said Villages, unless the same be in a brick or stone chimney, or in a stove of iron or other metal, under a penalty of five shillings currency, for each offence.

Using vessels for conveying fire;

Seventhly. All and every person or persons who shall carry or convey fire into or through any street, lane, yard, garden or place, in any of the said Villages, or cause fire to be so carried or conveyed without having the same confined in some copper, iron or tin vessel, shall for every such offence, incur a penalty of two shillings and six pence currency, and for every subsequent offence of a like nature, a further penalty of five shillings currency.

Hay, straw, &c., in dwelling houses;

Eighthly. Any person or persons who shall put or cause to be put or placed any hay, straw or fodder, in any dwelling house, within the limits of any of the said Villages, shall incur a penalty of five shillings currency for the first offence, and a penalty of ten shillings currency for every week during which he or she shall neglect to remove the said hay or straw from the said dwelling house.

Ninthly.

Ninthly. All and every person or persons who shall keep or have gun-powder for sale, in any of the said Villages, shall keep the same in boxes of copper, tin or lead; and for every omission or neglect so to do, such person or persons shall incur a penalty of twenty shillings for the first offence, and forty shillings for every subsequent offence.

Keeping of
Gunpowder;

Tenthly. Any person or persons in any of the said Villages, who shall sell or permit gun-powder to be sold at night in his or their houses, store-houses or shops, out-house or other building, shall on being thereof convicted, incur a penalty of forty shillings currency for every first offence, and of sixty shillings currency, for every subsequent offence.

Sale of Gun-
powder at
night;

Eleventhly. Any person or persons who shall in any of the said Villages keep or deposit any ashes or cinders of any kind, (ashes in the possession of manufacturers of pot and pearl ashes excepted,) in any wooden vessel, box or other thing not lined or doubled with sheet iron, tin or copper, so as to prevent all danger of fire or combustion from such ashes or cinders, shall for every such offence incur a penalty of five shillings currency.

Deposit of
Ashes, &c.

Twelfthly. Any person or persons who shall in any of the said Villages place or deposit any quick or unslacked lime in any house, out-house or building, so that such lime may be in contact with or touch any wood thereof, whereby there may be any danger of fire or combustion, shall for every such offence incur a penalty of five shillings currency, and a further penalty of ten shillings currency, for each day until such lime shall be removed or secured, to the satisfaction of such Inspecting Trustee, and in such manner as not to cause any danger of accident by fire.

Quick lime;

Thirteenthly. Any person who shall light a fire in any of the streets, lanes or public places of any of the said Villages, shall for every such offence incur a penalty of five shillings currency.

Lighting fires
in streets;

Fourteenthly. No person or persons shall erect or cause to be erected any furnace for making charcoal of wood within the limits of any of the said Villages, under a penalty of twenty shillings currency.

Charcoal fur-
naces;

Fifteenthly. All and every person or persons who shall throw or cause to be thrown any filth, rubbish or ordure into any of the streets, lanes or public places within the limits of any of the said Villages, shall, for every such offence, incur a penalty of two shillings and six pence currency, and of five shillings currency for every week during which they shall neglect to remove the same, after notification to that effect by the Inspecting Trustee, or some other person authorized by him for that purpose.

Filth, Rub-
bish, &c.

IV. INCORPORATED VILLAGES.

LII. And be it enacted, That the inhabitants of every Village in Upper-Canada mentioned in the Schedule to this Act annexed marked A, and intitled, "Incorporated Villages," and the inhabitants of each and every other Village, Hamlet or place which shall hereafter by Proclamation under the Great Seal of this Province be erected into an incorporated Village in the manner prescribed by this Act, shall be a Body Corporate apart from the Township or Townships in which such Village shall be situate, and as such

Inhabitants of
Villages men-
tioned in Sche-
dule A. in-
corporated.