

MINUTES
OF THE
PROVISIONAL
MUNICIPAL COUNCIL
OF THE
COUNTY OF ONTARIO.

WHITBY:
PERRY & DORNAN, PRINTERS.

1852.

MINUTES

OF THE

PROVISIONAL

MUNICIPAL COUNCIL

OF THE

County of Ontario.

FIRST MEETING, 1852.

MONDAY, 3rd May, 1852.

The Reeves and Deputy Reeves of the respective Municipalities of the County of Ontario, took their seats—that is to say:—

For the Township of Brock—Robert Sproule, Reeve; Alexander Carmichael, Deputy.

“ *Georgina*—James O’Brien Bouchier, Reeve.

“ *Mara and Rama*—James McPherson, Reeve.

“ *Pickering*—Peter Taylor, Deputy.

“ *Reach and Scugog*—Thomas Paxton, Reeve; Abel W. Ewers, Deputy.

“ *Scott*—James Galloway, Reeve.

“ *Thorah*—Charles Robinson, Reeve.

“ *Uxbridge*—Joseph Gould, Reeve.

“ *Whitby*—James Rowe, Reeve; James Dryden, Deputy.

For the Village of Oshawa—Thomas N. Gibbs, Reeve.

James O’Brien Bouchier, Esquire, Reeve of Georgina, took the Chair, and after reading the Commission appointing him Presiding officer of such meeting, until a Provisional Warden should be appointed, proceeded to call over the names of the Reeves, and Deputy Reeves of the respective Municipalities comprising the County of Ontario, when the following Reeves, and Deputy Reeves answered their names:

Robert Sproule, Alexander Carmichael, James McPherson, Peter Taylor, Thomas Paxton, Abel W. Ewers, James Galloway, Charles Robinson, Joseph Gould, James Rowe, James Dryden and Thomas N. Gibbs.

Mr. Rowe, seconded by Mr. Robinson, moves,

That Joseph Gould, Esq., be appointed Provisional Warden for the County of Ontario.

Carried.

The Chairman then declared the Provisional Municipal Council of the County of Ontario duly organized.

William H. Mitchell, Esq., took his seat as Reeve of Pickering.

The Provisional Warden took the chair and addressed the Council, and then took and subscribed the Oath of office before James Dryden, Esquire, one of Her Majesty's Justices of the Peace, acting in and for the said County of Ontario, being one of the United Counties of York, Ontario and Peel, and in the presence of the Corporation.

Mr. Galloway, seconded by Mr. Carmichael, moves,

That William Powson, be appointed Clerk of the Provisional Municipal Council of the County of Ontario.

Carried.

The Clerk then took and subscribed the Oath of Office before the Provisional Warden in the presence of the Corporation.

Mr. Sproule, seconded by Mr. Paxton, moves,

That the communication handed over to the Warden by Mr. McDonagh, be read for the information of the Council.

Carried.

Communication read.

The Provisional Warden then vacated the chair for one hour, for dinner.

The Council resumed its sitting at 3 o'clock.

Mr. Robinson, seconded by Mr. Paxton, moves,

That Mr. McDonagh's protest be read.

Carried.

Protest read.

Mr. Taylor, seconded by Mr. Dryden, moves,

That the Council do now resolve itself into a Committee of the whole, to consider the propriety of providing ways and means, for the Erection of the necessary County Buildings within the County of Ontario.

Carried.

The Council then went into Committee of the whole.

Mr. Bouchier, in the chair.

The Committee rose and reported a Resolution.

On the question for receiving the report.

Mr. Mitchell, seconded by Mr. Gibbs, moves.

That the report be not received, but amended by striking out all after the word "Resolved" and the following substituted; That no appropriation for the purpose of erecting County Buildings be made by the Council, until the actual sentiments of the Inhabitant Ratepayers be ascertained; by a regular Poll; Yea and Nay; to the question, whether the people of the County of Ontario desire the immediate separation of the County of Ontario from the other portions of the United Counties, and also, whether they approve of the denotement of the Site of the County Town by the Government.

The Yeas and Nays were taken:

YEAS.—Bouchier, Carmichael, Galloway, Gibbs, Mitchell, McPherson, Sproule—7.

NAYS.—Dryden, Ewers, Gould, Paxton, Robinson Rowe, Taylor—7.

The Provisional Warden voted with the Nays.

So the amendment was lost.

The Report was then received.

The Resolution was read as follows:

Resolved—That it is expedient to raise by way of loan upon the credit of all the assessed Property in this County the sum of Six Thousand Pounds, for the purpose of erecting the necessary County buildings, such amount payable in Twenty years agreeable to the Law in that case made and provided.

On the question for adoption.

YEAS.—Dryden, Ewers, Gould, Paxton, Robinson, Rowe, Taylor—7.

NAYS.—Bouchier, Carmichael, Galloway, Gibbs, Mitchell, McPherson, Sproule—7.

The Provisional Warden voted with the Yeas.

So the original Resolution was carried.

Mr. Mitchell, seconded by Mr. McPherson, moves,

That a Committee of Five be appointed by Ballot, forthwith to recommend to the Council certain members thereof, to form Standing Committees on the subjects of Finance and Assessment, County Property, Contingent Expenses, and Appointments to office.

Carried.

The Council then proceeded to the Ballot, and the Provisional Warden declared the committee to be composed of Messrs. Bouchier, Gibbs, Gould, Mitchell and Paxton.

Mr. Paxton, seconded by Mr. Ewers, moves,

That when this Council adjourns, it adjourns to meet at the Free Church, on the first Wednesday of June next.

Lost.

Mr. Michell, seconded by Mr. Taylor, moves,
That when this Council adjourns it shall stand adjourned until the first day, (if not a Sunday and in that case on the Monday following,) after the adjournment of the Council of the United Counties of York, Ontario and Peel, at its present Session; this Council to meet at the Free Church, Whitby Village, at 10 o'clock, A. M.

Carried.

Adjourned.

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Second Meeting, 1852.

MONDAY, 10th May, 1852.

The Council met in the Free Church, Whitby Village..

The Provisional Warden in the chair.

Names called over.

The Council adjourned *sine die* at 3 o'clock, P. M., for want of a quorum..

PRESENT.—Messrs. Dryden, Ewers, Paxton, Rowe, Taylor—5.

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Third Meeting, 1852.

TUESDAY, 1st June, 1852.

The Council met in the Brick School House, at Whitby Village, at 12 o'clock, at noon, pursuant to a Circular of the Provisional Warden.

The Provisional Warden in the chair.

Also Present, Messrs. Carmichael, Dryden, Ewers, Paxton, Robinson, Rowe, Taylor.

Mr. Paxton, seconded by Mr. Dryden, moves,

That the documentary evidence produced by Mr. McDonagh, respecting the Reeveship of Mara and Rama, be read for the information of the Council.

Carried.

Evidence read by the Clerk.

Mr. Taylor, seconded by Mr. Robinson, moves,

That having heard the Affidavits taken before William Powson, a Commissioner of the Court of Queen's Bench; by Patrick Clark and James Ritchie, two of the Councillors of the United Townships of Mara and Rama, and also, that of the Town Clerk of the said Townships, as well as the Protest and Statement this day made before the Council, by Michael McDonagh, Esquire; that he is actually and virtually the Reeve of the said United Townships, this Council do order the name of Michael McDonagh, to be substituted in lieu of that of James McPherson, and that Michael McDonagh, do take his seat, at this Council, as the Reeve of the said United Townships of Mara and Rama.

Carried.

Michael McDonagh, Esquire, then took his seat as Reeve, of the United Townships of Mara and Rama.

The Provisional Warden, then vacated the chair for one hour.

The Council resumed its sitting at 2 o'clock.

PETITIONS PRESENTED:—

By Mr. Taylor, on behalf of Mr. Michell; of Thomas Nixon to be appointed Treasurer to the Council.

By Mr. Robinson, of David Mitchell, and Twenty one others; recommending William Paxton, Jun., to be appointed Treasurer to the Council.

Mr. Dryden, seconded by Mr. Rowe, moves,

That the Resolution appointing a special Committee of Five by Ballot, at the First Meeting of this Provisional Council, for the purpose of naming fit and proper persons to fill the offices of Treasurer, and other County offices, and also to name the Building and Finance Committees and report to this Council on the same; be rescinded, inasmuch as they are not prepared to report, nor yet done any thing towards making such Report, and that the said Committee be discharged.

Carried.

Mr. McDonagh, seconded by Mr. Ewers, moves,

That William Paxton, Jun., be appointed Provisional Treasurer in and for the County of Ontario.

Carried.

Mr. Rowe, seconded by Mr. Robinson, moves,

That a Committee of Five be appointed forthwith as a Building Committee, and also for the purpose of selecting and reporting to this Council on a suitable Site for the County Buildings, and that the said Committee do consist of Messrs. Gould, Ewers, McDonagh, Carmichael, and the mover.

Carried.

Mr. Dryden, seconded by Mr. Rowe, moves,

That a Committee of Five be appointed forthwith, as a Finance Committee, and that the Committee consist of Messrs. Taylor, Paxton, Robinson, Sproule, and the mover.

Carried.

Mr. Taylor, seconded by Mr. Paxton, moves,

That a Committee of Five members be selected by Ballot, to prepare an Address to the Executive Council, recommending certain persons for County offices, and praying for their appointment.

Carried.

The Council then proceeded to the Ballot, and the Provisional Warden, declared the Committee to be composed of Messrs. Dryden, McDonagh, Robinson, Rowe, and Taylor.

Mr. Taylor, seconded by Mr. Robinson, moves,

That leave be given to bring in a Bill to raise by way of Loan the sum of Six Thousand Pounds, and interest payable within twenty years, for the erection of a Court House and Gaol, in the County of Ontario.

Carried.

By-law read a first time.

Mr. Paxton, seconded by Mr. McDonagh, moves,

That the By-law just read, be not read a second time to-morrow; but that it be read a second time forthwith.

Carried.

The By-law was then read a second time.

Mr. Taylor, seconded by Mr. Dryden, moves,

That a Committee of Two members be appointed forthwith, for the purpose of transcribing the By-Law now read, and that Messrs. Robinson and McDonagh, be said Committee.

Carried.

Mr. Taylor, seconded by Mr. Ewers, moves,

That it be Resolved, That whereas, the situation of the Registry Office for the United Counties of York, Ontario and Peel, in the City of Toronto, has for a long time past and still does afford just grounds of complaint, to the Inhabitants of that portion of the old County which now compose the County of Ontario, and was often urged by the friends of the division of the old County, as one of the principal reasons for the formation of the new County of Ontario.

And whereas the great and rapid increase of business in the Division Courts within these Counties—the great extent of territory composing the twelve divisions at present established therein, and the utter impossibility of any one Judge being able to dispose of the business of these Courts; notwithstanding the fact that in Three out of the Twelve Divisions no Courts have yet been held, though much required; all combine to render the immediate appointment of an additional Judge indispensable.

And whereas the Provisional Council of the County of Ontario, have resolved to proceed in the erection of the necessary County Buildings in order to have the County in full operation at as early a day as practicable, though a considerable time must of necessity elapse before the Buildings can be completed.

Be it therefore Resolved,

That this Council deems it of the greatest importance to the Inhabitants of this County, that the Government do without delay appoint a Registrar for the County of Ontario, and also, an Associate Judge for the United Counties of York, Ontario and Peel, resident within the county of Ontario, and who might afterwards be appointed Judge for the same, and that the Clerk of this Council be instructed to prepare and forward to His Excellency the Governor General in Council, a copy of this resolution.

Carried.

Mr. McDonagh, seconded by Mr. Paxton, moves,
That leave be given to bring in a By-law to assess the County of Ontario, in the sum of Six Hundred and Sixty Pounds, for the purpose of defraying the First Instalment and Interest of the sum of Six Thousand Pounds intended to be borrowed on account of Building purposes.

Carried.

By-law read a first time.

Mr. McDonagh, seconded by Mr. Rowe, moves,

That the By-law just read, be read a second time forthwith,

Carried.

By-law read a second time.

The Council went into Committee thereon.

The Committee rose, and reported that they had risen.

Report received.

Mr. McDonagh, seconded by Mr. Ewers, moves,

That the Provisional Warden be instructed to receive as good and sufficient Sureties the following persons, viz: James Dryden, Esquire, William Paxton, senior, Thomas Paxton, Esquire, and George Paxton, to the amount of Three Thousand Pounds for the faithful performance of the duties of the Provisional Treasurer of the County of Ontario.

Carried.

Mr. Paxton, seconded by Mr. McDonagh, moves.

That the Building Committee be instructed and required to obtain plans, specifications and estimates for a Court House and Gaol, and report the same to the Council at its next meeting, and if they shall think it advisable; to offer the sum of Twenty Five Pounds for the best Plan. The estimates of which shall in no case exceed the sum of Six Thousand Pounds.

Carried.

The Committee appointed to transcribe the By-law to raise by way of Loan the sum of Six Thousand Pounds and Interest payable within twenty years, for the erection of a Court House and Gaol in the County of Ontario, reported the same.

Report received.

The Council then went into a Committee of the whole thereon.

Mr. Dryden in the chair.

The Committee rose, and reported the By-law.

Report received.

Mr. Taylor, seconded by Mr. Carmichael, moves,

That the proposed By-law as reported by the committee of the whole, and adopted by the Council together with the Notice required by Law appended thereto, be published in the Ontario Reporter Newspaper, weekly for the space of Three Months; and that there be a Special Meeting of the Council on the 17th day of September next, for the purpose of taking the same into consideration.

Carried.

Mr. Dryden, seconded by Mr. Taylor, moves,

That the standing Rules of the United Counties' Council of York, Ontario and Peel, be adopted as the standing Rules for the Provisional Municipal Council of the County of Ontario.

Carried.

Mr. Taylor, seconded by Mr. Carmichael, moves,

That when this Council adjourns, it stands adjourned until the next day following that on which the Council of the United Counties of York, Ontario and Peel, shall adjourn, unless such day be Sunday and in that case to meet the day following at the Free Church, in Whitby Village, at 10 o'clock, A. M.

Carried.

The Council then adjourned.

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, Clerk.

Fourth Meeting, 1852.

THURSDAY, 24th June, 1852. (*First Day.*)

The Council met in the Free Church, Whitby Village, pursuant to Special adjournment.

The Provisional Warden, in the chair.

Also PRESENT—Messrs. Carmichael, Dryden, Ewers, McDonagh, Paxton, Robinson, Rowe and Taylor.

Minutes of the preceding meeting read and confirmed.

Mr. Taylor, seconded by Mr. Robinson, moves,

For leave to bring in a By-law for the appointment of a Treasurer for the County of Ontario.

Carried.

By-law read a first time.

Mr. Taylor, seconded by Mr. Robinson moves,

That the By-law just read, be not read a second time to-morrow; but be read a second time forthwith, and that the 34th Rule be dispensed with so far as it relates to the same.

Carried.

By-law read a second time.

Council went into Committee thereon.

Mr. Carmichael in the chair.

The Committee rose, and reported the By-law with Amendments.

Report received.

By-law read a third time.

The By-law was then passed and signed.

The Special Committee appointed by Ballot to draft and report an Address to the Executive Council, recommending certain persons for County Officers, and praying for their Appointment brought up a Report which was read.

The Council went into Committee thereon.

Mr. Paxton in the chair.

Committee rose and reported the Address with some Amendments.

The question for receiving the Report of the Committee of the whole was put and,

Carried.

Report received.

The Address was then read.

On the question for passing.

Mr. Ewers, seconded by Mr. Paxton, moves,

That the Address do not now pass, but that it be amended by striking out the name of Ezra Annes, and by inserting the name of Charles Robinson, Esquire.

Carried.

The name of Ezra Annes was then struck out, and that of Charles Robinson, Esquire, inserted in lieu thereof.

The Address was then passed and Signed.

The Provisional Warden, read a Document purporting to be a Protest signed by James McPherson, Town Reeve of Mara and Rama.

The Standing Committee on Finance and Assessments brought in a Report.

Report read.

Mr. Paxton, seconded by Mr. Dryden, moves,

That the Council do now resolve itself into a Committee of the whole, to consider the Report just read.

Carried.

The Council went into Committee.

Mr. Robinson in the chair.

Committee rose, reported progress, and asked leave to sit again this day.

Report received.

The Building Committee appointed for the purpose of selecting and reporting on a suitable Site, for the County Buildings brought up a Report.

Report read.

Mr. Rowe, seconded by Mr. Carmichael, moves,

That the Council do now resolve itself into a Committee of the whole, upon the Report of the Building Committee just read.

Carried.

The Council went into Committee.

Mr. Carmichael in the chair.

Committee rose and reported the Report with some amendments.

Report received.

On the question for passing.

Mr. Taylor, seconded by Mr. Paxton, moves,

That the Report of the Building Committee just read be adopted as amended, so far as relates to the Site.

Carried.

The Report so far as relates to the Site was then passed and Signed.

The Council then adjourned.

WILLIAM POWSON, *Clerk.*

(Signed)

JOSEPH GOULD,
Provisional Warden.

FRIDAY, 25th June, 1852. (*Second Day.*)

The Council met.

The Provisional Warden in the chair.

ALSO PRESENT—Messrs. Carmichael, Dryden, Ewers, McDonagh, Paxton, Robinson, Rowe and Taylor.

Mr. Taylor, seconded by Mr. Dryden, moves,

That the Council do now resolve itself into a Committee of the whole, on that part of the Report of the Building Committee which relates to Plans for County Buildings.

Carried.

The Council went into Committee thereon.

Mr. Paxton in the chair.

Committee rose, and reported the Report without amendments.

Report received.

Mr. Dryden, seconded by Mr. Rowe, moves.

That the Report just read be adopted.

Carried.

The Report was then Signed.

The Council then Adjourned for one hour.

The Council resumed its Sitting at 3 o'clock.

The Council then went into Committee of the whole, to resume the consideration of the Report of the Finance Committee.

Mr. Robinson in the chair.

Committee rose, and reported the Report with some amendments.

Report received and adopted as amended.

Report signed.

Mr. Dryden, seconded by Mr. Rowe, moves.

For leave to bring in a By-law to Assess the Inhabitants of the County of Ontario for County Rates &c.

Carried.

By-law read a first time.

Mr. Paxton, seconded by Mr. Dryden, moves,

That the By-law just read, be read a second time forthwith, and the 34th Rule be dispensed with.

Carried.

By-law read a second time.

The Council then went into Committee thereon.

Mr. Robinson in the chair.

Committee rose, and reported the By-law with amendments.

On the question for receiving the Report.

It was negatived.

The Council then again went into Committee of the whole thereon.

Mr. Robinson in the chair.

Committee rose and reported the By-law without further Amendments.

On the question for receiving the Report.

The Yeas and Nays were taken:

YEAS.—Carmichael, Dryden, McDonagh, Paxton, Robinson, Taylor—6.

NAYS.—Ewers.—1.

So the Report was received.

The By-law was then read a third time.

On the question for passing.

Mr. Paxton, seconded by Mr. Ewers, moves,

That the By-law do not now pass, but be amended by striking out the figures "£207 0 5" and inserting the words "Eight Hundred and Eighty-seven Pounds Four Shillings and Eleven Pence," in lieu thereof, and to amend the Schedule so as to accord with the same.

Carried.

The By-law was then passed and Signed.

Mr. Taylor, seconded by Mr. Dryden, moves,

That whereas, the Committee appointed by this Council, to draft an Address to His Excellency the Governor General in Council, recommending certain persons for Appointment to County Offices within this County having reported the Address prepared, and the same having been adopted by this Council.

BE IT RESOLVED—That the Clerk of this Council do forthwith, prepare and forward copies of said Address to Joseph Hartman and Amos Wright, Esquires, the Representatives in Parliament of the Third and Fourth Ridings of York; with the most respectful request of this Council, that they do use their influence with the Members of the Government, in forwarding the views of this Council as expressed in said Address, and a copy of which has been forwarded to His Excellency, accompanied by a copy of this Resolution.

Carried.

The Council then adjourned for one hour.

The Council resumed its Sitting at 6 o'clock.

Mr. Rowe, seconded by Mr. Robinson, moves,

That leave be given to bring in a By-law to appoint Commissioners to superintend the erection of the new County Buildings.

Carried.

By-law read a first time.

Mr. Dryden, seconded by Mr. Carmichael, moves,

That the By-law be not read a second time to-morrow, but be read a second time forthwith; and the 34th Rule be dispensed with so far as relates to the same.

Carried.

By-law read a second time.

The Council went into Committee thereon.

Mr. Taylor in the chair.

Committee rose, and reported the By-law with amendments.

Report received.

By-law read a third time and passed.

Mr. Taylor, seconded by Mr. Robinson, moves,

That this Council do accept of William Paxton, Senior, Thomas Paxton, George Paxton and James Dryden as Securities for William Paxton Jun., who has been appointed Provisional Treasurer to this Council and that they be required to enter into the necessary bonds, as directed by Statute previous to his entering on the duties of his office.

Carried.

Mr. Robinson, seconded by Mr. Ewers, moves,

For leave to bring in a By-law to adopt a Seal, for the Provisional Municipal Council of the County of Ontario.

Carried.

By-law read a first time.

Mr. Robinson, seconded by Mr. Rowe, moves,

That the 34th Rule of this Council be dispensed with, and that the By-law just read, be read a second time forthwith.

Carried.

By-law read a second time.

The Council went into Committee thereon.

Mr. Ewers in the chair.

Committee rose, and reported the By-law with some amendments.

Report received.

By-law read a third time and passed.

Mr. Ewers, seconded by Mr. Robinson, moves,

That when this Council adjourns, it stands adjourned until the Seventh day of September next.

Carried.

The Council then adjourned.

WILLIAM POWSON, *Clerk.*

(Signed)

JOSEPH GOULD,
Provisional Warden.

Fifth Meeting, 1852,

TUESDAY, 7th September, 1852. (*First Day.*)

The Council met in the Free Church, Whitby Village, pursuant to Special Notice, at 11 o'clock, in the Forenoon.

The Provisional Warden, in the chair.

ALSO PRESENT—Messrs. Carmichael, Dryden, Ewers, McDonagh, Paxton, Robinson, Rowe and Taylor.

The Provisional Warden addressed the Council explanatory of the object of the Meeting, and of the present position of the Council.

Minutes of the preceding meeting read and confirmed.

The Provisional Warden, laid on the table, the following Letters and Documents.

A Letter from Adam Wilson, Esquire, explanatory of his opinion on the By-law for Assessing the County for contingent expenses.

A Letter from Adam Wilson, Esquire, explanatory of his opinion on the proposed By-law for raising a Loan of Six Thousand Pounds.

Notice of a motion in Chancery entitled "Gibbs, versus the Provisional Municipal Council of the County of Ontario."

Notice of a Rule Nisi in the Queen's Bench, entitled "Currie versus, The Provisional Municipal Council of the County of Ontario."

Which said Letters and Papers, were read by the Clerk.

William H. Michell Esquire, Reeve of Pickering, took his seat.

Mr. Taylor, seconded by Mr. Rowe, moves,

That leave be granted to bring in a Bill to raise by way of Loan the Sum of Six Thousand Pounds, for the Erection of a Court House and Gaol, in the County of Ontario.

Carried.

By-law read a first time.

Mr. Paxton, seconded by Mr. Carmichael, moves,

That the By-law be not read a second time to-morrow, but be read a second time forthwith; and that the 34th Rule be dispensed with, so far as relates to the same.

Carried.

By-law read a second time.

The Council went into Committee thereon.

Mr. Carmichael in the chair.

Committee rose, reported the By-law as adopted without Amendments.

Report received.

By-law read a third time.

On the question for passing.

The Yeas and Nays were taken:

YEAS.—Carmichael, Dryden, Ewers, McDonagh, Paxton, Robinson, Rowe, Taylor—8.

NAYS.—Michell—1.

So the By-law was passed and signed.

The Council then adjourned for one hour.

The Council resumed their Sitting at 5 o'clock.

The Provisional Warden laid on the table a petition from Mr. Dean, to be appointed Engineer to the County.

Petition read by the Clerk.

The Provisional Warden, then laid on the table a Letter from the Provincial Secretary, in reference to an Address to His Excellency the Governor General in Council, praying for the appointment of certain County Officers.

Also—A Letter from Joseph Hartman, Esquire, M. P. P., in reference to the same subject.

Letters read by the Provisional Warden.

PETITIONS PRESENTED:—

By Mr. Robinson—A Memorial from Colonel Cameron, for information as to the intention of the Windsor Bay Harbour and Road Company, respecting the Road to the Narrows of Lake Simcoe.

Read by the Clerk.

Mr. Robinson, seconded by Mr. Ewers, moves,

That the Memorial of Colonel Cameron be referred to a Special Committee, to be composed of Messrs. Michell, Ewers, McDonagh, Dryden and the mover, with instructions to Report during the present Session.

Carried.

Mr. Rowe, Chairman of the Building Commissioners presented a Report of their proceedings up to the present time.

Report received.

Mr. Rowe, seconded by Mr. Taylor, moves,

That the Report of the Building Committee now read be adopted.

Mr. Ewers, seconded by Mr. McDonagh, in Amendment moves,

That the Council resolve itself into a Committee of the whole, on the Report now read.

Carried.

The Council then went into Committee of the whole thereon.

Mr. Dryden in the chair.

Committee rose, reported progress and asked leave to sit again to-morrow.

Report received.

Mr. McDonagh, seconded by Mr. Paxton, moves,

That when this Council adjourns, it stands adjourned to eight o'clock, to-morrow morning.

The Council then adjourned.

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, Clerk.

WEDNESDAY, 8th September, 1852. (Second Day.)

The Council met.

The Provisional Warden in the chair.

Also Present—Messrs. Carmichael, Ewers, Michell, McDonagh, Paxton, Robinson, Rowe and Taylor.
Minutes of yesterday read and confirmed.

The Special Committee to whom was referred the Memorial of Colonel Cameron, praying for information respecting the Road between Windsor Harbour and the Narrows of Lake Simcoe brought in a Report, which was read.

Report received.

Mr. McDonagh, seconded by Mr. Paxton, moves,

That the Report just now read and also, the correspondence of Charles Robinson, Esquire, therein alluded to be adopted.

Carried.

Report adopted.

Mr. Taylor, gave Notice.

That at the next Meeting of this Council, he would move for leave to introduce a Bill to lay down some clearly defined plan, on which this Council would be willing to grant aid to Townships or to Private Companies in any measure of public improvement, which they may desire to carry on.

The Council then went into Committee of the whole, to resume the consideration of the Report of the Building Commissioners.

Mr. Michell in the chair.

James Dryden, Esquire, then took his Seat.

Committee rose, and reported the Report adopted without Amendments.

Report received.

Mr. Rowe, seconded by Mr. McDonagh, moves,

That the Report of the Building Commissioners be adopted.

Mr. Ewers, seconded by Mr. Michell, in amendment moves,

That the Report be not adopted, but that it be referred to the Building Commissioners, with instructions to proceed with the Site No. 2, as now understood, and thus proceed with the erection of the Buildings.

The Yeas and Nays were taken:

YEAS.—Ewers, Michell, Paxton—3.

NAYS.—Carmichael, Dryden, McDonagh, Robinson, Rowe and Taylor—6.

Decided in the negative by a majority of 3.

The original motion was then put.

Carried.

So the Report was adopted.

Mr. Taylor, seconded by Mr. Ewers, moves,

That a Memorial be presented to The Honorable Francis Hincks Inspector General, requesting that Nicholas W. Brown of the Township of Whitby, be appointed to the Office of Inspector of Licenses, and for the County of Ontario, and that the Clerk be directed to draw up said Memorial, and the Warden be authorized to sign the same, and affix the Seal of this Corporation thereto.

Carried.

Mr. Ewers, seconded by Mr. Dryden, moves,

That the Clerk be instructed to obtain 200 printed copies of the By-laws, Minutes, Reports and other Documents of this Council, as soon as may be in the usual form, and forward Five Copies thereof to each Member of this Council, also, Five to each Municipal Clerk, and one to each Magistrate in the County.

Carried.

Mr. Paxton, seconded by Mr. Dryden, moves,

That the Council do now resolve itself into a Committee of the whole, for the purpose of comparing By-law No. 2, with the Report of the Commissioners appointed to Superintend the erection of the County Buildings in the County of Ontario, this day adopted by the Council, with a view to correct any discrepancy that may be found to exist, that might prevent the Commissioners proceeding with the erection of said Buildings on the Site recommended in said Report.

Carried.

Council went into Committee of the whole thereon.

Mr. McDonagh in the chair.

Committee rose, reported progress and asked leave to sit again.

The Council then adjourned for one hour.

The Council resumed its sitting at 2 o'clock.

The Council went into Committee of the whole, to resume the consideration of By-law No. 2, so far as it might affect the immediate action of the Building Commissioners, in reference to their erecting the County Buildings.

Mr. McDonagh in the chair.

Committee rose and Reported a Bill.

Report received.

By-law read a first time.

Mr. Michell, seconded by Mr. McDonagh, moves,

That the By-law just read, be read a second time forthwith; and that the 34th Rule of this Council be suspended for this purpose.

Carried.

By-law read a second time.

Council went into Committee thereon.

Mr. Paxton in the chair.

Committee rose, and reported the By-law with some Amendments.

Report received.

By-law read a third time.

The By-law was then passed and Signed.

Mr. McDonagh, seconded by Mr. Ewers, moves,

That leave be granted to bring in a Bill to fix the Allowance to be paid to Town Reeves and Deputy Town Reeves, of the County of Ontario.

Carried.

By-law read a first time.

Mr. McDonagh, seconded by Mr. Taylor, moves,

That the By-law now read be not read a second time to-morrow; but be read a second time forthwith, and that the 34th Rule be dispensed with.

Carried.

By-law read a second time.

Council went into Committee thereon.

Mr. Rowe in the chair.

Committee rose, and reported the By-law with some Amendments.

Report received.

By-law read a third time.

The By-law was then passed and Signed.

Mr. Paxton, seconded by Mr. Carmichael, moves,

That leave be granted to bring in a Memorial to the Legislature, praying that body to make such alterations or amendments in the 132nd Clause of the Amended Municipal Act of 1851,—12 Vict. Cap. 81, as will render any person who may hold an Office in any Township, and be in receipt of emolument therefor eligible to be elected as a Councillor of such Township, provided the Electors of said Township or Ward of such Township wish to elect him to said office of Councillor.

Carried.

Memorial read a first time.

Mr. Paxton, seconded by Mr. Ewers, moves,

That the Memorial to the Legislature be not read a second time to-morrow, but be read a second time forthwith; and that the 34th Rule be dispensed with so far as it relates to the same.

Carried.

Memorial read a second time.

Council went into Committee thereon.

Mr. Taylor in the chair.

Committee rose, and reported the Memorial with some Amendments.

Report received.

Memorial read a third time.

Memorial passed and Signed.

Mr. Taylor, seconded by Mr. Paxton, moves,

That the Clerk be instructed to forward the Memorial now read to Joseph Hartman, Esquire, with a request that he will use his influence to forward the views of this Council on the same; and also in the case of the Memorial for the Appointment of a License Inspector, after having been signed by the Warden.

Carried.

Mr. Robinson, seconded by Mr. Carmichael, moves,

That leave be given to bring in an Address to the Governor General, on the subject of the Roads and Harbour of Port Whitby.

Carried.

Address read a first time.

Mr. Robinson, seconded by Mr. Paxton, moves,

That the Address to the Governor General, just now read be not read a second time to-morrow, but that it be read a second time forthwith; and that the 34th Rule of this Council be dispensed with, so far as relates to the same.

Carried.

Address read a second time.

Mr. Robinson, seconded by Mr. Ewers, moves,

That the Council go into Committee of the whole, on the Address to the Governor General in reference to the Port Whitby Road Company.

Carried.

Council went into Committee thereon.

Mr. Carmichael in the chair.

The Committee rose, and the Chairman reported they had risen.

Report received.

Mr. Taylor, seconded by Mr. Rowe, moves,

That the Warden of the Provisional Council, be authorized to issue and sell to the best advantage, such amount of the Debentures of this County as the Building Commissioners may think will be required to carry out the instructions given to them, by the By-law of the Provisional Council.

Carried.

Mr. Ewers, seconded by Mr. Robinson, moves,

That when this Council adjourns this day, it stands adjourned until the Second Tuesday in the month of December next.

Carried.

Mr. Taylor, seconded by Mr. Ewers, moves,

That leave be given to bring in a Bill to amend By-law No. 1 of this Council, so far as it relates to the Securities to be given to the Council, by the Treasurer William Paxton, Junior.

Carried.

By-law read a first time.

Mr. Taylor, seconded by Mr. Paxton, moves,

That the By-law now read be not read a second time to-morrow, but be read a second time forthwith, and that the 34th Rule be dispensed with.

Carried.

By-Law read a second time.

Council went into Committee thereon.

Mr. Dryden in the chair.

Committee rose, and reported the By-law with some Amendments.

Report received.

By-law read a third time.

The By-law was then passed and Signed.

Mr. Taylor, seconded by Mr. McDonagh, moves,

That leave be given to bring in a Bill to fix the Salary of the Clerk of the Municipal Council.

Carried.

By-law read a first time.

Mr. Taylor, seconded by Mr. McDonagh, moves,

That the By-law now read be not read a second time to-morrow, but that it be read a second time forthwith; and that the 34th Rule be dispensed with.

Carried.

By-law read a second time.

Council went into Committee thereon.

Mr. Ewers, in the chair.

Committee rose, and reported the By-law with Amendments.

Report received.

By-law read a third time.

The By-law was then passed and Signed.

1852.)

Council of the County of Ontario.

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The Provisional Treasurer and his Sureties entered into the necessary Bond, and executed the same. in the Council Room, in the presence of the Corporation.

The Bond was then delivered to the Clerk to be deposited in his Office.
The Council then adjourned.

WILLIAM POWSON, *Clerk.*

(Signed)

JOSEPH GOULD,
Provisional Warden.

THE PROVISIONAL COUNTY COUNCIL, 1852.

JOSEPH GOULD, ESQUIRE, WARDEN.

TOWNSHIPS REPRESENTED.	REEVES.	DEPUTY REEVES.
<i>Brock</i>	Robt. Sproule,	Alexander Carmichael
<i>Georgiana</i>	Francis O'Brien Bouchier, . .	
<i>Mara and Rama</i>	Michael McDonagh,	
<i>Oshawa (Village of)</i>	Thomas N. Gibbs,	
<i>Pickering</i>	William H. Michell,	Peter Taylor.
<i>Reach and Scugog</i>	Thomas Paxton,	Abel W. Ewers.
<i>Scott</i>	James Galloway,	
<i>Thorah</i>	Charles Robinson,	
<i>Uxbridge</i>	Joseph Gould,	
<i>Whitby</i>	James Rowe,	James Dryden.

COUNTY OFFICERS APPOINTED BY THE COUNCIL.

JOSEPH GOULD, Esq. *Provisional Warden.*
WILLIAM PAXTON, Junr., *Treasurer.*
WILLIAM POWSON, *Clerk.*

APPENDIX.

STANDING COMMITTEES, 1852.

BUILDING.

MESSRS. GOULD,
EWERS,
McDONAGH,
CARMICHAEL,
ROWE.

FINANCE AND ASSESSMENT.

MESSRS. TAYLOR,
PAXTON,
ROBINSON,
SPROULE,
DRYDEN.

Building Commissioners.

MESSRS. DRYDEN,
EWERS,
GOULD,

MESSRS. McDONAGH,
MICHELL,
ROWE.

Report of Committees.

Report of the Building Committee appointed to select and report on a suitable Site for the County Buildings.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE COUNTY OF ONTARIO.

The Building Committee appointed to procure and submit offers of Sites for the County Buildings and Plans for the same, beg leave to report.

That they issued an advertisement calling for Sites and Plans for the County Buildings, and have received the following Tenders of Land free of Cost to the County as marked on the Plan.

1.—Five Acres on the South West part of Lot No. 27 in the 2nd concession, being one quarter of a mile North of the Main Road and Sixty Rods West of the Northern Plank Road from Messrs. Cochrane, Perry and Kent.

2.—Five Acres on the same Lot Thirty Rods North of the Main Road and Fifty Rods West of the Plank Road from the same Parties.

3.—Two Acres on the West part of Lot No. 27 in the 1st Concession, being about Eighty Rods South of the Main Road and in Front of the Grammar School, from Mr. Werden.

4.—Five Acres on Lot No. 27 in the 1st Concession being Two Acres on the South End of the North Half from Mr. Werden, and Three Acres on the North End of the South Half from Messrs. Radenhurst and Jones.

5.—Two Acres on the West Side of the North Plank Road from Mr. Radenhurst, and Three Acres on the East Side of the said Road, opposite to the foregoing from Mr. Hopkins and Mr. Jones, being at the North West of Mr. Jones' and the South West of Mr. Hopkins' Blocks.

Your Committee beg leave to express their strong sense of the great liberality of the Parties in making the above offers, all of which are of land of a very valuable description and generally in very convenient positions, but upon consideration of the relative merits for County purposes, the Committee recommend the Site No. 2, upon the Plan for adoption.

With reference to the Plans for the County Buildings, the Committee begs to recommend that the Design submitted by Mr. Cumberland be adopted, and that he be directed to prepare working Drawings for the same, with a view to obtaining Tenders for one and two story Wings, the latter to be erected if within the proposed Expenditure.

All which is respectfully submitted,

(Signed) JAMES ROWE,

Chairman of the Building Committee,

Committee Room, }
25th June, 1852.

(Adopted.)

PROCEEDINGS OF THE BUILDING COMMISSIONERS appointed under a By-Law of the Provisional Municipal Council of the County of Ontario, passed on the 25th June, 1852, and entitled "A By-Law to appoint Commissioners to superintend the erection of the County Buildings, and for certain other Purposes."

FIRST MEETING

Friday, 25th June, 1852.

The Commissioners met at Whithy Village,

PRESENT.—Messrs. Dryden, Ewers, Gould, McDonagh, Rowe and Taylor.

Mr. Gould, seconded by Mr. Ewers, moves,

That James Rowe, be appointed Chairman of the Board of Commissioners.

Carried unanimously.

The Chairman took the Chair,

Adjourned, *sine die*.

(Signed)

JAMES ROWE.

Chairman.

WILLIAM POWSON, *Clerk.*

SECOND MEETING,

Saturday, 7th August, 1852.

The Commissioners met at Manchester in the Township of Reach, pursuant to Special notice from the Chairman.

The Chairman in the Chair.

Also—Present Messrs. Dryden, Ewers, Gould and Taylor.

A Document signed by John Ham Perry and James Rowe, was laid on the table and ordered to be read.

The Document was then read by the Clerk as follows:—

MANCHESTER, August 7th, 1852.

To the Chairman of the Commissioners for Building the County Buildings in the County of Ontario:

SIR,

In view of the difficulty in reference to the Site for County Buildings, which it seems has arisen in consequence of certain parties at Port Whithy, who have been very desirous to have the Site South of the Road, and as it appears there may be danger of carrying the Appropriation, unless some amicable arrangement is entered into.

Therefore I beg respectfully to withdraw any offer of Land for the said County Buildings, that has been

made to the Building Committee, that Town, and should make the Title for upon conditions that no Site south of what was called Site No. 3 shall be offered to or accepted by the Council, and provided further that the parties offering Site No. 3 shall give not less than Two Acres for the use of the County and provided also, further that Captain Rowe our Reeve, and his Friends at the Bay and Whitby Village are satisfied amicably to go to work on the said situation and provided also, that a majority in the Council can agree to carry it into effect.

(Signed) J. HAM PERRY.

On behalf of myself and friends at the Bay and Whitby Village, I hereby agree to accept the above proposal to the effect that the Buildings shall not be erected further south than the proposed Site No. 3, and that all shall work amicably so far as myself and friends are concerned.

Manchester, August 7th, 1852.

[Signed] JAMES ROWE, Reeve.

Mr. Gould, seconded by Mr. Dryden, moves, That the Chairman be instructed to order and request Mr. Shier to take the Levels on Site No. 3 and Report a plan of the Site with the levels thereof, to Mr. Cumberland, with a request that he will progress with the working plans of the said Building, as early as possible, so that the Contract may be let on the 8th of September next, and that Messrs. Rowe, Dryden, Taylor and John Ham Perry, accompany Mr. Shier, and show him the ground.

Mr. Ewers, seconded by Mr. Taylor, moves, in amendment.

That the Commissioners instruct Mr. Shier, to take the Levels of the Site adopted by the Provisional Council, & also, Site No. 3 proposed, and forward the same to Mr. Cumberland, with instructions for him to make out the working plans on each of those Sites, and to advertise for tenders in the usual manner, as he may consider to the best advantage for the County—making two proposals, one to be paid in cash as the work proceeds and the other to be paid in Debentures, in order that the Sites may be submitted at the next meeting of the Provisional Council, should it then be considered necessary, and the Clerk be instructed to forward one Copy of this Resolution to Mr. Shier and Mr. Cumberland, and that Messrs. Rowe, Dryden and Taylor, be instructed to point out the spot to Mr. Shier which he shall level and forward to Mr. Cumberland.

NAYS.—Gould, Dryden.—2.

YEAS.—Ewers, Paxton.—2.

The Chairman voted with the Nays.

So the original Resolution was carried.

Mr. Gould, seconded by Mr. Dryden, moves,

That the Chairman be instructed to take immediate steps to have Mr. Cumberland, advertise for tenders to erect the County Buildings, to be accepted by the 8th of September next, and to say that the Contractor will be paid every three months as the Buildings proceed, say Seventy-five per Cent, on the amount of work done according to the Plans and Specifications and approved of, by and Certified to, by the Engineer in charge of the work.

Carried.

Mr. Ewers, then entered a Protest.

Which read as follows:

To the Chairman and Commissioners, appointed to

Superintend the erection of the County Buildings in the County of Ontario.

I hereby enter my solemn Protest against the proceedings taken by you this day, in ordering Mr. Shier to take the Levels on Site No. 3 or your proceeding with any other outlay thereon, in reference to the erection of the County Buildings on said Site No. 3, as any such outlay is in perfect violation of the directions given by the Provisional Municipal Council of the County of Ontario.

[Signed] ABEL W. EWERS,
Commissioner.

Manchester Reach, 7th August, 1852.

Adjourned *sine die*.

[Signed] JAMES ROWE,
Chairman.

WILLIAM POWSON, Clerk.

THIRD MEETING

Tuesday, 7th September, 1852.

The Commissioners met at Whitby Village, pursuant to Special notice from the Chairman.

The Chairman in the Chair.

ALSO PRESENT—Messrs. Dryden, Ewers, Gould, MacDonagh and Taylor.

The Chairman stated that since the last Meeting Mr. Shiers had according to instructions taken the Levels of Building Sites Nos. 2, 3 and 4 and that he had transmitted the same to Mr. Cumberland, with a request that he would prepare the Working Plans, so that the parties desirous of contracting to build the Court House and Goal might have an opportunity of inspecting them, so as to be able to make their Tenders in time to be laid before the Commissioners on the 9th of September.

The Chairman, also stated for the information of the Commissioners, that Mr. Cumberland had in pursuance of such request prepared one Working Plan, which he deemed sufficient for every purpose, as on account of the Sites being located on ground of nearly equal Levels, it would answer for any one—and that Mr. Cumberland had advertised for tenders in the Provincial Papers, such Tenders to be received until Thursday the 9th of September instant.

Mr. Taylor, seconded by Mr. Dryden, moves,

That in consequence of a misconception between the Council and those who offered Building Site No. 2, the Commissioners have come to the conclusion to relinquish Site No. 2, and accept of Site No. 3.

Mr. Ewers, in amendment moves,

That however, your Commissioners after more maturely considering the subject, would still beg leave to recommend the original Site No. 2, confirmed by the Council at its last Session, provided a proper title can be obtained, notwithstanding any misconception that has heretofore taken place.

Lost.

The original motion was then put.

Carried.

Committee adjourned *sine die*.

[Signed] JAMES ROWE,
Chairman.

WILLIAM POWSON, Clerk.

First Report of the Building Commissioners.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE COUNTY OF ONTARIO.

The Commissioners appointed to Superintend the erection of the County Buildings and for certain other purposes, under By-Law No. 2 passed on the Twenty fifth day of June last, beg leave to Report:

That owing to certain difficulties which have arisen respecting the exact location of the Site No. 2, proposed to the Council as a suitable place for the erection of the County Buildings and also, for the purpose of allaying certain feelings which have arisen amongst the community respecting the locality of the said Site.—Your Commissioners considered it advisable to direct the Levels to be taken on Sites Nos. 2, 3 and 4 which said Levels have been taken by Mr. Shier, and transmitted to Mr. Cumberland, who has prepared a *Working Plan* in conformity with the Levels taken, and the Plans adopted by your Council at its last Session.

Your Commissioners instructed Mr. Cumberland to advertise for tenders in the various Provincial Newspapers, such Tenders to be received until Thursday the 9th day of September instant, in accordance with a Resolution passed at the Second Meeting of your Commissioners, to which proceedings your Commissioners most respectfully refer.

And your Commissioners have further to Report, that after having taken all matters into mature consideration, they have come to the conclusion of recommending to the Council that Building Site No. 2 be relinquished, and that Site No. 3 be adopted in lieu thereof.

All of which is respectfully submitted.

[Signed] JAMES ROWE, *Chairman.*

Committee Room,
7th September, 1852.

FOURTH MEETING

Thursday, 9th September, 1852.

The Commissioners met at Whitby Village, pursuant to Special notice for the purpose of examining the Tenders and other purposes.

The Chairman in the Chair.

Also PRESENT.—Messrs. Dryden, Gould, Ewers, and McDonagh.

The Chairman laid on the table a Letter from *Assa Werden, Esq.*, addressed to Mr. Gage, stating the conditions on which he was agreeable to transfer Block No. 3, to the Provisional Council, as a Site for the new County Buildings.

Letter read by the Clerk—

Mr. Gould, seconded by Mr. Ewers, moves,

That the Chairman be instructed to wait upon Mr. Werden, as soon as convenient for the purpose of obtaining the title proposed to be given by him, and if possible obtain the title of the whole Block by paying any reasonable amount.

Carried.

Mr. Gould, seconded by Mr. Dryden, moves,

That the Chairman be instructed to forward to Adam Wilson, Esq., particulars respecting Building Site No. 3, in order that a proper legal transfer thereof may be prepared.

Carried.

Mr. Ewers, seconded by Mr. McDonagh, moves,

That Mr. Gould, be instructed to forward a Copy of the proposed Debentures to Adam Wilson, Esq., in order to have his opinion respecting the validity of of the form in which they are drawn, and to make such alterations therein as he may deem necessary if required.

Carried.

Mr. Gould, seconded by Mr. McDonagh, moves,

That the Clerk be instructed to correspond with the Commissioners of the Trust and Loan Company respecting the negotiation or sale of the County Debentures or with any other Company, or Person he may consider proper.

Carried.

Mr. Gould, seconded by Mr. Ewers, moves,

That the Commissioners do employ Messrs. Cumberland and Stone, Architects, to Superintend the erection of the County Buildings, and recommend the Council to appoint them to that office for that purpose.

Carried.

The Commissioners then proceeded to open and examine the Tenders received for erecting the County Buildings, pursuant to advertisement.

The Chairman laid Seven Sealed Tenders on the table.

The Tenders were opened and read by the Clerk.

CLASSIFICATION of Tenders for a Court House and Gaol—the Court House with Wings One Story High.

COURT HOUSE.		GAOL.	COURT HOUSE AND GAOL.
2 Wallace	£	£	£5795
3 Waddingham,	£3924	£2190	£6114
5 Wathington,	£3903	£2100	£6002
6 Harper, without Stone	£3687	£1969	£7081
7 Walter, Stone,	905 } £4592	£ 520 } £2489	

Reports of Committees.

5

CLASSIFICATION of Tenders for a Court House and Gaol, the Court House with Wings TWO Stories High.

COURT HOUSE.		GOAL.	COURT HOUSE AND GOAL.
3 Waddingham,	£4206	£2190	£6396
5 Worthington.	4192	2100	6292
6 Harper, (without Stone.)	3987 }	1969 }	7506
7 Walton, (Stone.)	1030 } 5017	520 } 2489	

Mr. Gould seconded by Mr. McDonagh, moves,
That Mr. Cumberlands' Plan with Wings one
Story in Height be adopted.

Carried.

Mr. Gould, seconded by Mr. McDonagh, moves,
That Mr. Wallace's Tender to build and complete
the Court House and Gaol for the Sum of Five thou-
sand Seven hundred and Ninety-five Pounds be ac-
cepted, on condition that he furnishes the necessary
Securities to the satisfaction of the Commissioners.

Carried.

Mr. Ewers, seconded by Mr. McDonagh, moves,
That the Chairman after having obtained the re-
quisite title for the Building Site from Mr. Warden,
do require him to record the Plan of the Village.

Carried.

Mr. Gould, seconded by Mr. McDonagh, moves,

That the Architects, Messrs. Cumberland and
Storm, be requested to draw the Bond and Contract
between Mr. Wallace, and the Commissioners in
terms of the agreement.

Carried.

Mr. Ewers, seconded by Mr. Dryden, moves,

That the Architects be instructed to select the best
locality on the East side of the Block for a Court
House, and on the West side thereof for a Goal, and
to level the same.

Carried.

Adjourned *sine die*.

(Signed)

JAMES ROWE,
Chairman.

WILLIAM POWSON, *Clerk.*

Minutes and Reports.

Commission appointing James O'Brien Bouchier, Esq., Presiding Officer of the First Meeting of the Provisional Municipal Council of the County of Ontario.

PROVINCE OF CANADA.

UNITED COUNTIES OF YORK,
ONTARIO, AND PEEL,
To wit:

To James O'Brien Bouchier of the Township of Georgina in the County of Ontario, one of the United Counties of York, Ontario, and Peel, Town Reeve of the said Township of Georgina, and to the Town Reeves and Deputy Town Reeves of the Townships of Pickering, Scott, Georgina, Whitby, Reach, Brock, Thorah, Uxbridge, Mara and Rama, and of the Village of Oshawa.

GREETING—

WHEREAS a proclamation under the Great Seal of the Province of Canada dated on the Eleventh day of the present month of March hath been promulgated naming the VILLAGE OF WHITBY as a place within the County of Ontario in the said Province for a County Town, and erecting the Town Reeves and Deputy Town Reeves of the said County of Ontario into a Provisional Municipal Council for the said County of Ontario, and whereas by the said Proclamation it is declared and appointed that the First Meeting of such Provisional Municipal Council for the said County of Ontario shall be held at the said VILLAGE OF WHITBY on *Monday the Third day of May* following the teste of the said Proclamation.

And Whereas, in the absence of the appointment by such Proclamation of one of the Town Reeves or Deputy Town Reeves of the said respective Townships or of the Village aforesaid to preside at the first meeting of such Provisional Municipal Council and until the appointment of a Provisional Warden the power and authority of making such appointment is by law vested in the High Sheriff of the United Counties of York, Ontario, and Peel.

Now Know Ye that by the power in me vested, I, *William Botsford Jarvis*, High Sheriff of the United Counties of York, Ontario, and Peel have nominated and appointed and by these presents do nominate and appoint James O'Brien Bouchier, Town Reeve of the Township of Georgina in the said County of Ontario Esquire to be the presiding officer of the said Provisional Municipal Council for the said County of Ontario, and until a Provisional Warden for the said County of Ontario shall be appointed by the said Provisional Municipal Council.

In witness whereof I the said Sheriff, have hereto set my hand and affixed my Seal of Office at Toronto this Twenty Second day of March one thousand eight hundred and fifty two.

(Signed.)

W. B. JARVIS. [L. S.]
Sheriff.

REEVESHIP OF MARA AND RAMA.

The following Letters and Documents were read before the Council on the 3rd day of May, 1852, on the motion of Mr. Sproule, seconded by Mr. Paxton:

(1.)

County Council Office,
19th March, 1852.

SIR:

On presenting the Certificate of your clerk to the Warden [in reference to your Election to the Office of Reeve] I have to inform you that in his opinion before you can take your seat in the County Council it will be necessary for you to bring with you an Extract from the Minutes of your Township Council certified by the Clerk that Mr. McPherson has resigned the office of Reeve. As it is presumed that he has done so, such certificate will remove all difficulty as to your taking your seat at the next meeting [3rd May next.

[Signed.]

J. ELLIOT,

To Michael McDonagh, Esq.
Mara.

Clerk.

[2.]

Mara, 18th March, 1852.

The Municipal Council met at David McVey's. Present,—Messrs. McPherson, McDonagh, Garnett, Clark and Ritchie.

Mr. McPherson verbally resigned his seat at the Council Board, for Ward No. 4, in the United Townships of Mara and Rama stating his reason for so doing that he considered he was illegally elected according to the amended Act of the year 1851, his resignation was not accepted by a majority of the Council; Mr. McPherson also resigned as Town Reeve, which was accepted by the Council.

The Council then adjourned to meet again on the 8th day of April next at the hour of ten o'clock in School Section No. 2.

I certify that the above is a correct copy taken from the Minutes of the Council of the United Townships of Mara and Rama.

[Signed.]

JAS. E. ELDER,
T. Clerk.

(3.)

Protest entered by Michael McDonagh, Esq., and read on motion of Mr. Robinson seconded by Mr. Paxton, 3rd of May, 1852.

Whitby Village, May 3rd, 1852.

In the name and in behalf of the Municipality of the United Townships of Mara and Rama, I hereby enter my protest against James McPherson interfering or voting on any question connected with the proceedings to be taken at the meeting of the Provisional Council of the County of Ontario, held this day.

(Signed.) MICHAEL McDONAGH.
Town Reeve, Mara and Rama.

(4.)

On the motion of Mr. Paxton, seconded by Mr. Dryden, the following documents were read before the Council on the 1st day of June, 1852.

I Michael McDonagh, Town Reeve of the United Townships of Mara and Rama doth in my name and in behalf of the Municipality of the said United Townships of Mara and Rama enter my protest against James McPherson taking his Seat in the Provisional Council of the County of Ontario, as I claim to be the duly elected Reeve of the said United Townships of Mara and Rama, and entitled to represent the said Townships alone in the Provisional Council of Ontario aforesaid.

(Signed.) MICHAEL McDONAGH
Town Reeve, Mara and Rama.

Whitby, 1st June, 1852.

[5.]

United Counties of York, } Patrick Clark of the
Ontario, and Peel, } Township of Mara in the
to wit: } said United Counties and
Province of Canada, one of the Municipal Councillors elected and acting for the United Townships of Mara and Rama within the said United Counties appeared before me, and being sworn, saith, That he has attended every meeting of the Municipal Council of the said United Townships of Mara and Rama which has been held this year. That James McPherson has never been elected Reeve of the said Townships since the last annual election of Councillors. That Michael McDonagh, Esq., was elected Reeve for the present year, and previous to his taking his seat at the Council as such Reeve, that he the said Michael McDonagh, Esquire, took the oath required by law in the presence of him, this Deponent, before the Town Clerk. And this Deponent further saith that during the present year the said James McPherson has never acted as Reeve within these Townships, but that all the powers, duties, and functions of Reeve have been exercised by Michael McDonagh, Esquire, and that Michael McDonagh, Esquire, is alone acknowledged by the Council of these Townships as Reeve.

[Signed.] PATRICK CLARK.

Sworn before me at Mara within the said United Counties of York, Ontario, and Peel, this 26th day of May, 1852.

WILLIAM POWSON, a Commissioner in B. R. and for the said United Counties of York, Ontario, and Peel.

(6.)

A By-Law to appoint Mr. Henry White Road Surveyor and John O'Donnel Overseer of Highways for Division No. 24 in the Townships of Mara and Rama.

Be it enacted by the Municipality of Mara and Rama that Mr. Henry White be hereby appointed Road Surveyor in and for these Townships, and that John O'Donnel be appointed Overseer of Highways for Division No. 24 during the present year.

(Signed.) MICHAEL McDONAGH,
Town Reeve.

(Signed.) JAS. E. ELDER,
T. Clerk.

Passed 8th April, 1852.

All the By-Laws passed by the Municipal Council of the United Townships of Mara and Rama since the last annual election of Councillors have been signed by Michael McDonagh, Town Reeve.

United Counties of York, } James E. Elder, Town-
Ontario, and Peel, } ship Clerk of the United
to wit: } Townships of Mara and
Rama in the said United Counties of York, Ontario, and Peel, maketh oath and saith that the By-Law above written is a true copy from the original By-Law passed in Council on the day named. And this Deponent further saith that the memorandum attached to the effect that all the By-Laws made and passed by the Municipal Council of the said Townships since the last annual meeting are signed by Michael McDonagh, Town Reeve.

(Signed.) JAS. E. ELDER,
Town Clerk Mara and Rama.

Sworn before me at Mara in the said United Counties of York, Ontario, and Peel, this 26th Day of May, 1852.

WILLIAM POWSON, a Commissioner of B. R. in and for the United Counties of York, Ontario, and Peel.

(7.)

United Counties of York, } James Ritchie of the
Ontario, and Peel, } Township of Mara in the
to wit: } said United Counties of
York, Ontario, and Peel, and Province of Canada one of the Municipal Councillors elected and acting for the United Townships aforesaid personally appeared before me and maketh oath that he has perused over the affidavits made by Patrick Clark and James E. Elder, and which said affidavits are hereunto annexed, and that the statements made in such affidavits are to his this Deponent's own knowledge, true and correct in every particular. And further he this Deponent states that James McPherson tendered his resignation as Reeve of the said United Townships to the Council, and that such resignation was accepted—yet this acceptance was not to be taken as an impliance that the said James McPherson was appointed Reeve during the current year, but merely an acceptance from the said James McPherson that he resigned all claim which he had to the Reeve-ship on account of any action which might have been

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taken by the Township Clerk or any other person on his behalf at any time previous to the date of his tendering such resignation.

(Signed.) JAMES RITCHIE.
Sworn before me at Mara within the said United

Counties of York, Ontario, and Peel this 27th day of May, 1852.

WILLIAM POWSON, a Commissioner in B. R. for the United Counties of York, Ontario and Peel.

Report of the Select Committee appointed to prepare an Address to the Executive Council, recommending certain persons for County Officers.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE COUNTY OF ONTARIO.

The Select Committee appointed to prepare a draft of an address to the Executive Council recommending certain persons for County Officers, and praying for their appointment, beg to report they have prepared a draft of an address which is herewith submitted.

To His Excellency The Right Honourable James, Earl of Elgin and Kincardine, Governor General of British North America, &c., &c.

The Memorial of the Provisional Municipal Council of the County of Ontario, one of the United Counties of York, Ontario, and Peel

HUMBLY SHEWETH—

That since the formation of the County of Ontario the Members of this Council have been frequently requested by persons to recommend them to your Excellency for appointment to offices in this County.

That although Members of this Council when applied to have in some instances acceded to such request, yet upon more mature consideration in Council it is believed that if this Council or its individual members as such can properly render to your Excellency advice or information in the selection of suitable persons to fill County Offices within this County, such advice or information would be best conveyed

to Your Excellency by or through a Memorial embodying the sentiments of this Council relative to the persons whose appointment would be most likely to give satisfaction to the inhabitants of the County.

That this Council believing that the appointments above referred to or some of them, will soon occupy the consideration of Your Excellency in Council would beg to be permitted to address your Excellency on the subject and to mention for the information of Your Excellency in Council the names of such persons as in the opinion of this Council are qualified to discharge the duties of these offices, and who possess the confidence of the People and of this Council.

This Council would therefore most respectfully recommend to your Excellency in Council the appointment of Charles Robinson, Esquire, of Thorah, to the office of High Sheriff of this County. The appointment of Zacheus Burnham of Whitby, Esquire, Barrister at Law to the Judgeship of this County. The appointment of John Ham Perry of Whitby, Gentleman, to the Office of Registrar of this County, and the appointment of Chester Draper of Whitby, Gentleman, to the Office of Clerk of the Peace of this County.

And this Council prays that your Excellency will be graciously pleased to make such appointments whenever in the opinion of Your Excellency the proper time for so doing shall have arrived.

And as in duty bound, &c.

All which is respectfully submitted.

(Signed.) JAMES DRYDEN, *Chairman.*

Committee Room, 24th June, 1852. [adopted.]

Report of the Standing Committee on Finance and Assessment in reference to the amount to be levied for the present year, 1852.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE COUNTY OF ONTARIO.

The Standing Committee on Finance and Assessment for the Provisional Municipal Council of the County of Ontario beg leave to report.

That taking into consideration the several items which will be a charge on the Provisional Treasury for the current year, your Committee beg leave to recommend that the sum of Eight Hundred and Eighty Seven Pounds four Shillings and Eleven Pence be rateably levied on the several Townships comprising the said County to defray the Contingent

Expenses, viz:—Mileage and Members' Wages, Printing, and Expenses of Building Committee, &c.

Your Committee would further state that having no data to furnish any correct estimate of the exact amount of what would be a fair remuneration for the Provisional County Officers for the present year would not recommend any fixed Salary until the Council is better informed as to the duties and labors of their respective Officers.

All which is respectfully submitted.

(Signed.) JAMES DRYDEN, *Chairman.*

Committee Room, June 24, 1852. [adopted.]

Minutes and Reports

A Memorial from Colonel Cameron of Thorah, respecting the Road leading between Port Whitby and the Narrows of Lake Simcoe, presented by Mr. Robinson, 7th September, 1852.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE
COUNTY OF ONTARIO IN THE PROVINCE OF CANADA.

The Memorial of Kenneth Cameron in the Township of Thorah in the said County

HUMBLY SHEWETH—

That in the year 1850 the Government of Canada sold the Harbour of Port Whitby and certain Public Roads or Highways leading thereto to a private Company.

That the portion of Road from the front of the 5th Concession of Reach, through the remainder of that Township and the Townships of Brock, Thorah, and Mara to the Bridge over the Narrows of Lake Simcoe remains unmade.

That Memorialist has ineffectually endeavoured to obtain from the said Company satisfactory information of their intention respecting the said unmade portion of road, and a Copy of the Indenture, Contract, or other writing from the Government of Canada by Virtue of which they exercise Ownership of the said Harbour and Roads.

That Memorialist might have recourse to the Secretary of the *Province*, or the Legislature *thereof* now in Session for the information which he has in vain applied for elsewhere—but that deeming the Provisional Council to be the Legitimate conservators of the interests and rights of the Constituency of the County of Ontario, he first applied to them and prays that the said Council will obtain from the said Company an *immediate expression* of their intention respecting the construction of the portion of road herein before particularized, viz: from the front of the 5th Concession of Reach to the Narrows on Lake Simcoe—and also from such source as to the Municipal Council may seem proper—a Copy of the Indenture Contract or other writing or writings by virtue of which the ownership of Whitby Harbour and Roads leading thereto, has been transferred by the Government of Canada to the said Private Company—and further that the said writings may be promulgated for general information.

And Memorialist will ever Pray.

[Signed KENNETH CAMERON.
Thorah, 4th September, 1852.

Report of the Special Committee to whom was referred the Memorial of Colonel Kenneth Cameron, relative to the Port Whitby Road and Harbour Company.

TO THE PROVISIONAL MUNICIPAL COUNCIL OF THE
COUNTY OF ONTARIO.

The Special Committee to whom was referred the Memorial of Colonel Kenneth Cameron, relative to the Port Whitby Road and Harbour Company, and requesting the action of the Council thereon, beg leave to report.

That they have carefully examined the said Memorial and find that the matter referred to therein, is closely connected with the best interests of the County. Your Committee deeply regret that the expectations of the people of a large section of the County have been so long disappointed by the noncompletion of the said Road, and it is also, a matter of surprise and regret that no authentic information respecting the tenure under which the said Company exercises the right of Ownership over the same; has never been promulgated for public information.

Therefore fully coinciding as your Committee, do, with the views of the said Memorialist, and in order to obtain the information therein required, your Com-

mittee have addressed [a communication to the said Company, a copy of which is hereunto subjoined, which your Committee trust will elicit a satisfactory explanation of the cause of complaint adverted to in said Memorial.

Starting, as the County of Ontario, may now be fairly said to have done on a new and independent state of existence, it is a matter of paramount importance to, and deeply affecting the convenience and interests of all sections of the community, that the Northern Road should be speedily opened, although your Committee at present are unable to offer any suggestion as to the mode by which so desirable an object may be accomplished.

All which is respectfully submitted.

(Signed) CHARLES ROBINSON, .
Chairman.

Committee Room, September 8th, 1852.

[Adopted.]

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Letter from the Chairman of the Special Committee to whom was referred the Memorial of Colonel Kenneth Cameron to the President and Directors of Port Whitby Road and Harbour Company.

TO THE PRESIDENT AND DIRECTORS OF THE PORT
WHITBY ROAD AND HARBOUR COMPANY.

Gentlemen,

I beg to inform you that a Memorial has this day been presented to the Provisional Municipal Council of the County of Ontario, complaining that the portion of Road under your Contract extending from the front of the Fifth Concession of Reach, Northward to the Bridge over the Narrows of Lake Simcoe remains unmade, also that Memorialist (Colonel Cameron,) has in vain repeatedly endeavoured to procure information from your Company as to the cause of such neglect, and your intention respecting the said unmade portion of Road, and also to obtain a copy of the Contract or Covenant under which your Company hold said Harbour and Road. Taking into consideration the importance of the information thus desired by the said Memorialist as affecting

the interests of the County generally, I take the liberty to address the present to you in the name of the Special Committee appointed by the Council for the purpose aforesaid, in order to ask the favor of your furnishing the Council with the desired information and copy of the Documents referred to, as you must be undoubtedly well aware of the extent to which a satisfactory understanding of this subject would conduce to the general contentment and harmony of the Inhabitants of the County. I therefore request that you will have the goodness to reply to this Communication forthwith, or if such be not possible then that you will be pleased to communicate with the Warden at your earliest convenience, so that in either case the future action of the Council on the subject may be governed accordingly.

(Signed) CHARLES ROBINSON,

Chairman.

MEMORIAL.

To the Legislative Assembly of the Province of Canada, praying for certain alterations or amendments in the Municipal Law.

TO THE HONORABLE THE LEGISLATIVE ASSEMBLY OF
THE PROVINCE OF CANADA IN PROVINCIAL PARLIA-
MENT ASSEMBLED.

The Memorial of the Provisional Municipal Council
of the County of Ontario, in Council Assembled.

Respectfully Sheweth:

That in the opinion of this Council, it is highly desirable that an amendment be made in the present Municipal Laws declaring the eligibility of persons holding Office, or receiving Emoluments under or from any Municipal Corporation to be elected Councillors for such Municipalities, whenever the Electors consider it advisable or for the interest of such Municipality, that such persons should be so elected, as your Memorialists consider that such in-

eligibility as at present exists with respect to holding Office as Councillors by such Persons is very detrimental to the public, as all the evils intended to be guarded against might be fully averted by requiring that persons holding office at the time of their election should resign such office, previous to their being sworn in as Councillors.

The Provisional County Council therefore prays, that your Honorable House will take into consideration the matter above submitted, and be pleased to make such alteration as on your Wisdom may seem meet.

And your Memorialists will ever pray.

[Signed] JOSEPH GOULD,
Provisional Warden.

8th September, 1852.

(Adopted.)

F*

BY-LAWS.

PASSED IN THE YEAR, 1852.

[No. 1.]

A B Y-L A W

Confirming the appointment of Provisional Treasurer for the County of Ontario.

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| <p>1. Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by the authority of the same.</p> <p>2. That from and after the passing of this By-Law, William Paxton, Junior, be Provisional Treasurer of the said County on furnishing the necessary required amount of Security for the faithful performance of the duties of said office.</p> <p>3. Be it enacted that the said William Paxton Jun.</p> | <p>be required to give security to the amount of Three Thousand Pounds, that is to say his own Security in One Thousand Pounds, and Two Sureties in the sum of One Thousands Pounds each, such Sureties to be approved by the Council.</p> <p>[Signed] JOSEPH GOULD,
Provisional Treasurer.</p> <p>WILLIAM POWSON, Clerk.</p> <p>Passed, 24th June, 1852.</p> |
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[No. 2.]

A B Y-L A W

To appoint Commissioners to superintend the erection of the County Buildings and for certain other Purposes.

Whereas, it is expedient to take immediate steps towards the erection of all the necessary County Buildings.

And whereas, certain plans prepared for that purpose have been approved and adopted by Resolution of this Council:

And whereas, a certain block of land containing Five Acres at or near the South West Corner of Lot Number Twenty Seven, in the second Concession of the Township of Whitby, has been offered as a Free Grant for County purposes by the Owners thereof, and has been accepted by Resolution of this Council.

And whereas, it is desirable to appoint Commissioners to Superintend the erection of the County Buildings and to do and perform all these duties in

relation thereto, which may be necessary for carrying out the intentions of this Council in regard thereto.

Be it enacted by the Provisional Municipal Council of the County of Ontario and it is hereby enacted by the authority of the same.

1. That from and after the passing of this By-Law Messrs. Gould, Rowe, Ewers, Dryden, McDonagh and Taylor, shall be Commissioners of this Council to Superintend the erection of the proposed County Buildings on the Site adopted, or to be adopted, and in accordance with the Plans approved by this Council or with such amendments of the said Plans as the said Commissioners may direct and sanction—*Provided always*, that the Sum to be expended by

By-Laws.

the said Commissioners in and for the said County Buildings shall not exceed the Sum of Six Thousand Pounds.

2. That it shall and may be lawful for the said Commissioners or a majority of them, to enter into Contracts with such Parties as they may approve for the erection of the said County Buildings, and for the construction and execution of such works in connection therewith as they the said Commissioners may direct as necessary for County purposes, and the Cost of which shall not on the whole exceed the Sum of Six Thousand Pounds as aforesaid.

3. That the Provisional Treasurer be and he is hereby authorized and required from time to time to pay to the order of the said Commissioners or a majority of them, such sum or sums of money for work done and certified by the Architect appointed, at such periods and in such proportions as shall be agreed upon by the Contractors and the said Commissioners, such sum or sums not to exceed in the whole the sum of Six Thousand Pounds as aforesaid.

4. That it shall be the duty of the said Commissioners prior to entering upon possession of the block of land offered by certain persons for County Purposes and accepted by this Council, to cause the

Deeds and all other Documents necessary for a full and complete transfer of all right, Title and interest therein to this Municipality, to be prepared and completed under proper legal advice. And the Warden is hereby authorized to sign such Papers as may be necessary to said transfer, and to affix the Seal of this Council thereto, if the same be requisite.

5. That it shall be the duty of the said Commissioners to Report to this Council from time to time, detailed Statements of their transactions shewing the amount of their Expenditure and Liabilities, and all other information necessary for the information and guidance of this Council.

6. *Provided always*, nevertheless that the power herein conferred as far as it relates to the empowering the said Commissioners to contract for the erection of the said Buildings, shall not come into force or effect until the Eighth day of September next.

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed, 25th June, 1852.

[No. 3.]

A B Y-L A W

To assess the Inhabitants of the County of Ontario for County Rates to provide for the contingent expenses of the Provisional Municipal Council of the County of Ontario.

Whereas, it is necessary to provide by a general Assessment upon the Rateable Property of the County, for the County Expenses ordered and incurred by and under the authority of the Provisional Municipal Council of the County of Ontario.

Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by the authority of the same.

That there be raised, levied and collected from the Inhabitants of the several Townships in the County aforesaid; liable to be Assessed for the present year, in the usual way and for the general purposes of the County, the sum of Eight Hundred and Eighty-seven Pounds Four Shillings and Eleven Pence, inclusive of Five per Cent, to cover the Expenses of collection, apportioned to the several Townships as their portions respectively of the sum required for the purpose above mentioned, as detailed and set forth in the Schedule attached to this By-Law; and forming part thereof.

And the said sums so to be collected from the rateable Inhabitants of the several Townships of this County, shall be specified on the Township Collectors Rolls, in separate columns by the Township Clerks; and the same shall be collected and paid as all other Rates are collected, and paid by the several Township Collectors, into the hands of the proper Officers, as provided by Law on or before the Fourteenth day of December next.

Schedule shewing the proportions which each Municipality must bear of the Taxes to be levied under this By-Law for general County Purposes for the year 1852, and forming part thereof:

<i>Municipality.</i>	<i>Amount to be Levied.</i>		
	£	s.	d.
Brock, - -	67	7	5
Georgina, - -	22	0	4
Mara and Rama, - -	17	19	2
Pickering, - -	270	17	0
Reach and Scugog, - -	68	14	6
Scott, - -	23	10	2
Thorah, - -	22	3	0
Uxbridge, - -	57	2	2
Whitby, - -	282	10	0
Oshawa Village, - -	55	1	2
	£887	4	11

(Signed)

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed, 25th June, 1852.

[No. 4.]

A B Y-L A W

To adopt a Seal for the Provisional Municipal Council of the County of Ontario.

Whereas, it is necessary to adopt a Seal for the Provisional Municipal Council of the County of Ontario.

Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by the authority of the same.

That from and after the passing of this By-Law

the Seal, the design of which is hereunto attached be adopted as the Seal of this Corporation.

[Signed]

JOSEPH COULD,
Provisional Warden.

WILLIAM POWSON, Clerk.

Passed, 25th June, 1852.

[No. 5.]

A B Y-L A W

To raise by way of Loan the Sum of Six Thousand Pounds and Interest, payable within Twenty years for the Erection of a Court House and Gaol in the County of Ontario.

Whereas, it is expedient to raise by way of Loan, the sum of Six Thousand Pounds, for the purpose of defraying the expenses of procuring a Site, and of erecting a Court House and Gaol in the Village of Whitby, in the County of Ontario, and it will require the sum of Nine Thousand Seven Hundred and Eighty Pounds, to be raised as a special rate for the payment of such Loan and the Interest thereof, within Twenty Years from the Seventh day of September, 1852, as follows, that is to say:—

£669	in the year	1852.
642	" "	1853.
624	" "	1854.
606	" "	1855.
588	" "	1856.
570	" "	1857.
552	" "	1858.
534	" "	1859.
516	" "	1860.
498	" "	1861.
480	" "	1862.
462	" "	1863.
444	" "	1864.
426	" "	1865.
408	" "	1866.
390	" "	1867.
372	" "	1868.
354	" "	1869.
336	" "	1870.
318	" "	1871.

And whereas the amount of rateable property in the said County of Ontario amounts to the sum of One Million Four Hundred and Fifty-nine Thousand Seven hundred and Sixty Pounds assessed value for the year of our Lord One thousand Eight hundred and Fifty-one, and will require the several rates in the pound mentioned in the Schedule hereto annexed marked A (and forming part of this By-Law,) upon such rateable property as a special rate for the payment of the said interest, and for the creation of a

sinking fund for the payment of the principal of such loan, according to the requirements of the one hundred and seventy-seventh section of the Upper Canada Municipal Corporations Act of 1849, as amended by the Upper Canada Municipal Corporation's Law amendment Act of 1851.

Be it therefore enacted by the Provisional Municipal Council of the County of Ontario,

1st.—That it shall and may be lawful to and for the Provisional Warden of the said Provisional Municipal Council, to raise by way of loan, at a rate of interest not exceeding six per centum per annum, from any person or persons, body corporate or politic, who may be willing to advance the same upon the credit of the Debentures hereinafter mentioned, a sum of money not exceeding in the whole the sum of Six Thousand Pounds, and to cause the same to be paid into the hands of the Provisional Treasurer of the said Provisional Municipal Council.

2nd.—That it shall and may be lawful to and for the said Provisional Warden to cause or direct any number of Debentures to be made out for such sums or sum of money not exceeding in the whole the sum of Six Thousand Pounds, as any person or persons, body corporate or politic, shall agree to advance or the credit of such Debentures, which shall be issued under the common seal of the said Provisional Municipal Council, and signed by the Provisional Warden and Provisional Treasurer, and made out in such manner and form and payable at such periods exceeding twenty years, as the said Provisional Warden shall deem expedient; provided also nevertheless, that the said Debentures shall not be made payable any sooner than this By-Law provides for raising money for their redemption.

3rd.—That the interest on such Debenture be payable at the office of the said Provisional Treasurer, on the Seventh day of September in every year after the same are issued.

4th.—That the sum of Three Hundred and being one-twentieth part of the said sum of Six Thousand Pounds, shall be paid at the said

By-Laws.

Treasurer's office in each and every year, the first payment to be made on the Seventh day of September in the year of our Lord one thousand eight hundred and fifty-three.

5th.—That the sum of Six Thousand Pounds when so paid into the hands of the said Provisional Treasurer, shall be applied towards defraying the expenses of erecting a Court House and Gaol for the said County of Ontario, and of purchasing a site therefor.

6th.—That the special rate enumerated in the Schedule hereto annexed, marked A, shall be raised, levied and collected over and above all other rates for the years therein mentioned, upon all rateable property in the said County of Ontario, for the purpose of paying the said sum of Six Thousand Pounds and the interest thereon as aforesaid; and the proceeds of such special rate shall be applied solely to the payment and satisfaction of such Debentures, and the interest thereon as aforesaid, until the whole of such Debentures and the interest thereon as aforesaid shall be paid in full.

7th.—That this By-Law shall come into force and take effect on, from and after the Seventh day of September in the year of our Lord one thousand eight hundred and fifty-two, and not before.

SCHEDULE A,

Referred to in the foregoing By-Law, and forming part thereof.

1980	of a penny in the £ in 1852,	}	£660
18247	to provide for		
1926	" " 1853,	}	642
18247			
1872	" " 1854,	}	624
18247			
1818	" " 1855,	}	606
18247			

1674	of a penny in the £ in 1856,	}	£588
18247	to provide for		
1710	" " 1857,	}	570
18247			
1656	" " 1858,	}	552
18247			
1602	" " 1859,	}	534
18247			
1548	" " 1860,	}	516
18247			
1494	" " 1861,	}	498
18247			
1440	" " 1862,	}	480
18247			
1386	" " 1863,	}	462
18247			
1332	" " 1864,	}	444
18247			
1278	" " 1865,	}	426
18247			
1224	" " 1866,	}	408
18247			
1170	" " 1867,	}	390
18247			
1116	" " 1868,	}	372
18247			
1062	" " 1869,	}	354
18247			
1008	" " 1870,	}	336
18247			
954	" " 1871,	}	318
18247			

[Signed]

JOSEPH GOULD,

Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed, 7th September, 1852.

[No. 6.]

A B Y-L A W

To amend By-Law No. 2, so far as relates to the Site for the erection of the County Buildings as therein denoted.

1. Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby ordered by the authority of the same, That all that part of the By-Law No. 2, which has reference to the Site of the County Buildings be repealed.

And be it further enacted that the Site for the Buildings shall be that tract of land situate on the Twenty Seven in the First Concession Township of Whitby which may be more accurately described as follows, that is to say being of Village Lots Numbers 5, 6, 7, 8, 21, 22, in the Fourth Double Range West of the Village of Whitby in the said

it enacted that the Site above described be declared to be that substituted in the indicated or referred to in the said

4. And be it further enacted that the Commissioners appointed by the said By-Law to superintend the erection of the said Buildings, or a majority of them, do forthwith cause the consideration money to be paid for the said Site, and procure the lawful conveyance thereof to the Municipality of the County of Ontario, in accordance with the provisions of By-Law No. 2, and then immediately proceed with the erection of the Buildings as aforesaid upon such part of the said Site as to them may seem fit and expedient.

5. And be it further enacted that the name of William H. Michell be added to the list of Commissioners for the purpose aforesaid in addition to those appointed by the said By-Law No. 2, and that he have full power to act in conjunction with them or any of them. [Signed.] JOSEPH GOULD,

Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed 8th September, 1852.

By-Laws.

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[No. 7.]

A B Y-L A W

To fix the allowance to be paid to Town Reeves, Deputy Reeves, and Building Commissioners.

Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by the authority of the same.

That it shall and may be lawful for the Provisional Treasurer of this County, and he is hereby authorized and required out of the Provisional County Funds in his possession to pay to each Town Reeve and to each Deputy Town Reeve entitled by law to sit in the Provisional County Council the Sum of Seven Shillings and Six pence for each day he shall have been in attendance during the Meetings of the Council, and three pence for every mile he may necessarily travel in coming to and returning from the place of meeting of the said County Council upon Certificate of the Provisional Warden.

And it is hereby further enacted by the authority aforesaid, that the terms of the above By-Law respecting remuneration shall also be understood to refer to the Building Commissioners.

And be it further enacted by the authority aforesaid that this By-Law shall be in full force and effect from the passing hereof for the term of at least two whole years.

[Signed.]

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed 8th September, 1852.

[No. 8.]

A B Y-L A W

To repeal part of By-Law No. 1.

Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by authority of the same, That so much of By-Law No. 1 of this Council as relates to the Security to be given to this Council by William Paxton Junior, the Treasurer thereof be, and the same is hereby repealed.

And be it enacted by the authority aforesaid that William Paxton Junior be required to give Security

by a joint and several Bond to the amount of Twelve Thousand Pounds by himself and Four Sureties to be approved by this Council.

[Signed.]

JOSEPH GOULD,
Provisional Warden.

WILLIAM POWSON, *Clerk.*

Passed 8th September, 1852.

[No. 9.]

A B Y-L A W

To provide for the payment of the Salary of the Clerk of the Provisional Municipal Council of the County of Ontario.

Be it enacted by the Provisional Municipal Council of the County of Ontario, and it is hereby enacted by the authority of the same that there shall be allowed and paid to the Clerk of this Council the yearly salary of Fifty Pounds, and that it shall and may be lawful for the Provisional Treasurer of the County to pay the same Quarterly out of the general funds or revenue of the County which shall come into his hands,

and that this By-Law shall be a sufficient and authority to the Provisional Treasurer to said Salary, the same to be computed from the day of May last past.

[Signed.]

JOSEPH GOULD,
Provisional

WILLIAM POWSON, *Clerk.*

Passed 8th September, 1852.