

Owners of Land may receive the value of Land decided to be theirs, or pay the value of the improvements fixed by the award of Arbitrators.

VI. *And be it further enacted by the authority aforesaid,* That in all cases where an Award shall be made under this Act, determining the value of any such Improvement, it shall be optional with the owner of the Land, whether he will pay the amount at which such Improvement may be valued, or receive the sum awarded to be paid by the Person having made such Improvement as the value of the Land on which the same may have been made.

Certain persons not eligible to be named as Arbitrators.

VII. *And be it further enacted by the authority aforesaid,* That no Person owning Land in the Eighth Concession of the Township of Saltfleet, nor any Person who may claim remuneration for any such Improvement as aforesaid shall be eligible to be chosen or appointed an Arbitrator for the purposes of this Act.

If a road shall be laid out in front of Binbrook, the owners of the front Lots shall be entitled to the former allowance for Road.

VIII. *And be it further enacted by the authority aforesaid,* That if upon application to the Court of Quarter Sessions for the Gore District being made in the manner pointed out by Law, the aforesaid Line run by the said Samuel Street Wilmot, shall be confirmed as a Common Public Highway, it shall and may be lawful for the owners of the Land in the first Concession of the Township of Binbrook, to take, hold, occupy and enjoy the Road Allowance in front of the said first Concession in lieu thereof, any law, usage or custom to the contrary notwithstanding; *Provided always,* that the value of said Allowance be paid for by such occupant to the owners of Land in the eighth Concession of Saltfleet next adjoining.

Any award may be made a Rule of King's Bench.

IX. *And be it further enacted by the authority aforesaid,* That every award that shall be made as hereinbefore directed, shall be made a rule of His Majesty's Court of King's Bench, and as such may be specially pleaded by the Party or Parties having complied with the same.

CHAP. X.

AN ACT for vesting in Trustees, the Market Square in the Town of York, for the benefit of the Inhabitants of the said Town.

[Passed 16th March, 1831.]

Preamble.

WHEREAS Alexander Wood and Thomas Stoyell of the Town of York have by their Petition set forth that, by His Majesty's Letters

Patent the Market Square in the said Town, containing about four Acres and a half, had been granted in Fee Simple to the Honorable Henry Alcock, the Honorable Peter Russell, the Honorable Æneas Shaw, and the Honorable John McGill, without expressing as was intended any trust, that the same was intended for the use of the Public as a Market, and that the said John McGill, the sole surviving Grantee, by a certain Indenture of Lease for Nine Hundred and Ninety-nine Years, made between him and the said Petitioners, then serving as Town and Church Wardens for the said Town, and which said Indenture of Lease has been lost and cannot be found, hath as such survivor Leased the same to the Petitioners and their Successors in the said offices of Church and Town Wardens, for the management of the same for the use of the Public of the said Town, and that they were desirous of being relieved from the said trust, and praying that a Bill might be passed vesting the Market Square in Trustees, to for and upon such trusts as might be deemed proper: *And whereas* it is expedient to grant the prayer of the said Petitioners, and to make further provisions vesting the said Estate:—*Be it therefore enacted* by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said Market Square, or ground appearing upon the Official Map of Survey of the said Town of York as Reserved for a Market, containing as is said about four and a half Acres more or less, be and the same is hereby vested in the Church and Town Wardens for the time being, and in their Successors in the said offices for ever hereafter, as a Corporation for Leasing and managing the same as hereafter mentioned.

Market Square vested in the Church and Town Wardens.

II. *And be it further enacted by the authority aforesaid*, That the said Church and Town Wardens for the time being, as such Corporation, shall have full authority and power to Lease the same in such parcels, and for and upon such terms as the Magistrates for the said District shall, in General or adjourned Sessions, from time to time order and direct.

Power to lease the Market Square in parcels.

III. *And be it further enacted by the authority aforesaid*, That all Monies arising from such Lease or Leases shall be paid into the hands of the Treasurer of the said District, and shall be at the disposal of the Magis-

Monies arising from Leases how to be applied.

trates of the said District for Public uses, for the benefit of the Inhabitants of the said Town of York, and for no other use or purpose whatsoever.

No present Lease
to be avoided by
this Act.

IV. *And be it further enacted by the authority aforesaid,* That nothing herein contained shall extend or be construed to extend to do away, or in any manner to interfere with the present Leases of the said Market Square, but that the same shall be taken and considered to be valid and effectual to all intents and purposes whatsoever.

School lot vested in
the Trustees of the
Common School.

V. *And whereas* a certain part of the said Market Square, known as Lot number twelve in Market Lane, has been heretofore used for the purpose of a Common School House for the said Town, and it is expedient to provide for the permanent application of the same for the purposes of such Common School: *Be it therefore further enacted by the authority aforesaid,* That the said Lot number twelve aforesaid shall be, and the same is hereby deemed to be vested in the Trustees of the said Common School, and their successors duly appointed according to Law, as a Corporation for that purpose.

CHAP. XI.

AN ACT to Incorporate certain persons therein mentioned under the style and title of the Tay Navigation Company.

[Passed 16th March, 1831.]

Preamble.

WHEREAS Henry Graham, Alexander Fraser, Roderick Matheson, John McKay, George Hume Read, Josias Taylor, Henry Glass and others, of the Town and neighbourhood of Perth, in the District of Bathurst, have by Petition prayed to be Incorporated a Joint Stock Company for the purpose of Improving and rendering Navigable the River Tay, with such other persons as may feel disposed to undertake the said Improvement: *And whereas* by an Act passed in the eighth year of His late Majesty's Reign entitled, "An Act to confer upon His Majesty certain powers and authorities necessary to the making, maintaining and using, the Canal intended to be completed under His Majesty's direction for connecting the waters of Lake Ontario with the River Ottawa and for other purposes therein mentioned," power and authority were given to any Officers or persons employed by His Majesty in case His Majesty should desire to improve the Navigation of the Rivers Tay and Goodwood which empty