

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1816. York: R. C. Horne, 1816.

56 George III – Chapter 20

**An Act to erect and form a new District out of Certain parts of the Home and Niagara Districts, to be called the District of Gore. Passed 22d March, 1816.**

Whereas from the great extent of the Home and Niagara Districts, in this Province, and the increased population of late years in the Westernmost part of the said Districts, it hath become an object of serious inconvenience to the Inhabitants thereof to attend the Courts of Justice; and whereas for other weighty and sufficient reasons, it has become expedient to divide, the said Districts, and to constitute and form a new District out of certain parts thereof; and whereas it is expedient that the said new District should enjoy all and every jurisdiction, privilege and advantage now possessed and enjoyed by the other Districts of this Province, be it 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 prevision for the Government of the said Province," and by the authority of the same, That from and after the passing of this Act, there shall be formed, constituted and established a separate and new District, to be called the District of Gore, which said District shall be formed and composed of the Townships of Trafalgar, Nelson, Beverly and Flamborough, the latter divided into Flamborough East and West, so much of the tract of land upon the Grand River, in the occupation of the Six Nation Indians as lies to the Northward of Dundas Street, and Blocks, one, two, three and four, on the Grand River aforesaid, together with the reserved lands in the rear of Blenheim and Blanford, in the West Riding of the County of York, in the Home District, and of the Township of Benbrook, Saltfleet, Glanford, Barton and Ancaster in the first Riding of the County of Lincoln, together with that part of the tract of land in the County of Haddimand, on each side of the Grand River lying to the Northward and Westward of Bears foot Village, on the River Ouse, to Dundas Street, and together with the Bench at the Head of the Lake Ontario, between the Outlet of Burlington Bay and the Township of Salt-fleet with the Promontory between Burlington Bay and Coots Paradise, in the District of Niagara.

II. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the Township of Toronto shall be attached to, and form a part of the East Riding of the County of York, and the residue of the West Riding of the County of York, shall from henceforth continue and be the West Riding of the County of York.

III. And be it further enacted by the authority aforesaid, That the Courts of Oyer and Terminer, Assize, Nisi Prius, Gaol Delivery and of the Peace; Courts of General Quarter Sessions of the Peace; District Court; Surrogate Court; Court of Requests and every Court and Jurisdiction whatsoever held or to be held, possessed and enjoyed, in and by the other Districts of this Province, shall from

henceforth with the like powers and authorities, be held, possessed and enjoyed, in and by the said District of Gore, and that all and every jurisdiction, regulation, rule, privilege, exemption, matter or thing which hath or been enacted, provided and declared, or shall be hereafter enacted, provided and declared, by any Act or Acts of the Parliament of this Province, made or to be made, touching or concerning the said other Districts, shall be and are hereby extended to that District, unless otherwise provided for, and declared by this Act, and that Courts of Oyer and Terminer, Assize, Nisi Prius and Gaol Delivery shall first be held, unless under special commission, in and for the said District of Gore during the circuit of the Judges of His Majesty's Court of King's Bench through this Province, in the year of our Lord one thousand eight hundred and sixteen, Provided nevertheless that if any cause of action hath arisen or shall arise, and any action thereupon hath been or shall be commenced, or any indictable offence, hath been or shall be committed within the said District of Gore, which said action or indictable offence by due course of Law might have been brought to issue and trial, if the said District had not been erected and constituted at the next Assizes, to be holden in and for the Home District, or in and for the District of Niagara, it shall and may be lawful as heretofore, then and there to try the said actions and indictments, any thing therein contained to the contrary notwithstanding.

IV. And be it further enacted by the authority aforesaid, That a Gaol and Court-House for the said District of Gore, shall be erected and built in some fit and convenient place, on Lot number fourteen in the third concession of the Township of Barton, to be called the Town of Hamilton, in such manner and under the same rules, regulations and directions as in that respect are made and provided in and by a certain Act, passed in the thirty-second year of His Majesty's Reign, entitled "An Act for building a Gaol and Court-House in every District throughout the Province, and for altering the names of the said Districts," and that all and every the Clauses, provisions, rules, regulations, matters and things in the said last recited Act contained, shall under the same penalties as therein are contained, in all cases, and in respect to all persons, extend and be extended to the District of Gore aforesaid.

V. Provided nevertheless, And be it further enacted by the authority aforesaid, That until such time as the said Gaol and Court-House, in and for the District of Gore aforesaid, shall have been erected and built, whether out of the Fund produced by the District Assessments and Rates or otherwise, that it shall and may be lawful, for the majority of His Majesty's Justices of the Peace, residing within the said District of Gore, to appoint some place therein, for holding the Courts of General Quarter Sessions of the Peace, and of all other Courts held at a place, contain in the said other Districts of this Province, And Whereas, the said Townships of Trafalgar, Nelson, Flamborough East and West, Beverly, Benbrook, Saltfleet, Glanford, Barton and Ancaster, Blocks one, two, three and four, with the said other Lands now constituting the District of Gore, did heretofore belong to and constitute a part of the Home and Niagara Districts of this Province, and were subject to the jurisdictions, powers and authorities of these Districts: Be it therefore further enacted by the authority aforesaid, That no jurisdiction, power or authority of what nature or kind soever to the said Home or Niagara Districts at this time belonging & appertaining, shall extend or be construed to extend to the said District of Gore; Provided nevertheless that nothing herein contained shall effect, change or in any wise invalidate the jurisdictions, commissions, powers and authorities which heretofore were established, possessed and exercised, in that part of the said

Province, which before the erecting and constituting the said District of Gore, formed and constituted the Home and Niagara Districts, and that all Acts, matters and things which have been lawfully done under and by virtue of the said jurisdictions, commissions, powers and authorities within the said Districts, so far as respects the validity of the authority under which the same have issued and are constituted, previous to the erecting and constituting of the said District of Gore as aforesaid, and all Acts, matters and things which shall be lawfully done under and by virtue of the same, in that part of the Province, which now forms and constitutes the Home and Niagara Districts, so far as respects the validity of the authority under which the same have issued and are constituted, since the said District of Gore hath been so erected and constituted, shall be held to be valid and good in Law, to all intents and purposes whatsoever.

VI. And be it further enacted by the authority aforesaid, That His Majesty's Justices of the Peace and other Persons bearing lawful authority, residing within the said District of Gore, shall hold, enjoy and exercise the like authority, power and Jurisdiction within that District at the times and in the manner which they heretofore held, enjoyed and exercised within the Home and Niagara Districts before the erecting, constituting and declaring of the said District of Gore, or which is held, enjoyed and exercised by His Majesty's Justices of the Peace, and other Persons bearing lawful authority in the other Districts of this Province, provided that the authority, power and jurisdiction heretofore exercised by His Majesty's Justices of the Peace, and other Persons hearing lawful authority residing within the said District of Gore shall not in any wise be exercised, or continued within that part of this Province, now constituting the Home and Niagara Districts, but the same within those Districts shall from henceforth cease and determine.

VII. And be it further enacted by the authority aforesaid, That the Assessments and Rates levied or to be levied for this current year of our Lord one thousand eight hundred and sixteen, within the said District of Gore, shall be applied and expended for the like purposes within that District as they now are or may be applied, and expended under and by virtue of any Act or Acts of the Parliament of this Province, made or to be made in the other Districts of this Province.

VIII. And be it further enacted by the authority aforesaid, That the residue of the Home District shall from this time henceforth constitute and form the Home District, and the residue of the Niagara District shall be and remain the District of Niagara.

IX. And be it further enacted by the authority aforesaid, That nothing in this Act contained shall extend or be construed to extend, to prevent or make void any of the Provisions of an Act passed in this present Session, entitled "An Act to afford relief to Persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara, and that the Commissioners hereafter to be appointed, under the aforesaid Act, shall have the same authority therein given in that part of the Counties of Lincoln and Haldimand as if the same were still a part of the said District of Niagara, any clause, matter, or thing herein contained to the contrary notwithstanding.

X. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, the Block Number one on the Grand River shall be known by the name of the Township of Dumfries, Block Number two by the name of the Township of Waterloo, Block Number three, by

the name of the Township of Woolwich, and Block Number four by the name of the Township of Nichol.

XI. And be it further enacted by the authority aforesaid, That the Township of Saltfleet, Barton, Benbrook, Glanford, Ancaster and the Beach between Burlington Bay and Lake Ontario, and the Promontory near Coot's Paradise, and so much of the County of Haldimand as lies between Dundass Street and the Onondaga village, commonly called Boar's Foot, including said village, shall from henceforth form and be called the County of Wentworth and the residue of the County of Lincoln and the residue of the County of Haldimand shall from henceforth be and remain the Counties of Lincoln and Haldimand respectively.

XII. And be it further enacted by the authority aforesaid, That the Townships of Trafalgar, Nelson, Flamborough, the latter divided into Flamborough East and Est, Beverly, and Blocks Number one, two, three, and four, on the Grand River with the reserved Lands in the rear of the Townships of Blenheim and Blanford, do constitute and form the County of Halton, and the residue of the County of York shall be and remain in the County of York.

XIII. And be it further enacted by the authority aforesaid, That the Counties of Wentworth and Halton do constitute and form the District of Gore.