

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1857. Toronto: Stewart Derbishire & George Desbarats, 1857.

20 Victoria – Chapter 92

**An Act to incorporate the Town of Milton, in the County of Halton. Assented to 27th May, 1857.**

Whereas the inhabitants of Milton, in the County of Halton, have, by their petition to the Legislature represented, that it is now the County Town of the said County of Halton, and contains about one thousand inhabitants, and that it is the wish of the Municipality of the County of Halton that it should be incorporated, and have prayed that it may be incorporated by the name of the Town of Milton; And whereas, from the importance and rapidly increasing population of the said place, it is expedient to incorporate the same as prayed for, with the privileges and rights of an incorporated Town: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. From and after the passing of this Act the inhabitants of the Town of Milton shall be a body corporate apart from the Township of Trafalgar in which the said Town is situate, and as such shall have perpetual succession and a Common Seal, with such powers as are now by law conferred upon Incorporated Towns in Upper Canada; and the powers of such Corporation shall be exercised by, through and in the name of the Municipality of the Town of Milton.
- II. The said Town of Milton shall comprise and consist of the following lots and parcels of land, that is to say: Lots numbers thirteen and fourteen in the second Concession in the new survey of the Township of Trafalgar.
- III. The said Town of Milton shall be divided into three Wards in the manner following, that is to say:  
  
North Ward shall comprise all that part of the said Town north of the centre line of Main street, from the eastern to the western boundaries of the said Town.  
  
East Ward shall comprise all that part of the said Town south of the centre line of Main street, and east of the centre line of Foster street, prolonged to the southern boundary of the said Town.  
  
South Ward shall comprise all that part of the said Town lying south of the centre line of Main street and west of the centre line of Foster street, prolonged to the southern boundary of the said Town.
- IV. After the passing of this Act it shall be lawful for the Governor of this Province to appoint a Returning Officer for the said Town of Milton, which Returning Officer shall appoint the time and place for holding the first election in each Ward of the said Town, of which appointment and of the names of the Deputy Returning Officers for the several Wards, he shall give notice, by posting the same at least ten days before the election in three or more public places in each of the Wards of the said Town.

V. The duties of the Returning Officer and Deputy Returning Officers, and the qualifications of the voters and the persons elected as Councillors at such first election, shall be as prescribed by law with respect to Townships in Upper Canada.

VI. The Collector or Township Clerk of the Township of Trafalgar, or other person having the legal custody of the Collector's Roll for the year one thousand eight hundred and fifty-six, shall furnish to each Deputy Returning Officer a true copy of the said Roll, so far as the same relates to voters resident within the limits of each of such Wards, and so far as such Roll contains the names of the male freeholders and householders rated upon such Roll in respect of real property lying within such limits, with the amount of the assessed value of such real property for which they shall be respectively rated on such Roll, which copy shall be verified upon oath or in such manner as is now required by law.

VII. The said Returning Officer and Deputy Returning Officers before holding the said election, shall take the same oath or affirmation as is now required by law for Returning Officers and Deputy Returning Officers in Towns in Upper Canada.

VIII. Elections for Councillors of the said Town of Milton after the year one thousand eight hundred and fifty-seven, shall be held in conformity with the statutory provisions in respect of the several Incorporated Towns of Upper Canada.

IX. The several persons who shall be elected or appointed under this Act shall take the same oaths of office and of qualification as are now required by law.

X. The said Councillors to be elected under this Act for the said Town, shall be organized in the same manner and in the same way as in any other Incorporated Town in Upper Canada, and have, use and exercise the same powers and privileges as any other Incorporated Town in Upper Canada; and the first meeting of the said Council shall be held in the Court House, in the said Town, at Eleven o'clock in the forenoon, on the first Saturday after the day on which the election of Councillors shall have been held.

XI. Any Councillor elected to serve in the Township Council of the said Township of Trafalgar, for the present year, and residing within the above prescribed limits of the said Town, shall, immediately on the appointment of a Returning Officer for the said Town, as provided by this Act, cease to be such Councillor, and the duly qualified electors of the Wards in which the said Town is situate, shall thereupon proceed to elect a new Councillor or Councillors, as the case may be, to serve in the Council of the said Township for the remainder of the year, as in the case of death or resignation provided for by the Municipal laws of Upper Canada.

XII. The Officers of the said Council of the Township of Trafalgar, shall not proceed to collect any rate or assessment imposed by the said Council for the present year, within the limits of the said Town, but the amount which maybe required for the purposes of the said Town within the present year, shall be based on the assessment of the Township assessor or assessors for the present year,, and shall be

collected by the Officer or Officers to be appointed by the said Town Council for that purpose: Provided always, that nothing herein contained shall affect any school rate or school section for the present year.

XIII. The Clerk of the said Township shall, and he is hereby required to furnish to the Clerk to be appointed by the Council of the said Town, on demand made by him therefor, a true copy of the Assessment Roll for the present year, so far as the same shall contain the rateable property assessed within the said Town, and the names of the owners or occupiers thereof.

XIV. The expenses of any assessment imposed for the present year, so far as the same shall relate to assessments made within the limits of the said Town, and the expenses of furnishing any documents, or copies of papers or writings, by the Clerk or other Officer of the Council of the said Township hereinbefore referred to, or required to be furnished, shall be borne and paid by the said Town Council to the said Township Council, or otherwise as the said Township Council shall require.

XV. From and after the passing of this Act, the said Town shall cease to form part of the said Township of Trafalgar, and shall, to all intents and purposes, form a separate and independent Municipality, with all the privileges and rights of an Incorporated Town in Upper Canada, but nothing herein contained shall affect or be construed to affect any taxes imposed for the payment of any debt contracted by the Township of Trafalgar, but the said Town shall pay to the Treasurer of the said Township of Trafalgar in each and every year until such existing debt be fully paid and discharged, the same amount which was collected within the present described limits of the said Town, towards the payment of such debt for the year one thousand eight hundred and fifty-six, and the same shall be a debt against the said Town.

XVI. All Acts and parts of Acts and provisions of law or of Parliament, and all Acts, By-laws, Rules and Regulations of any Township Meeting, County Council, or Township Council in Upper Canada, in force in Upper Canada immediately before the time when this Act shall come into force, in so far as the same may be inconsistent with or contradictory to the provisions of this Act, shall be and are hereby repealed, and shall cease to be in force from and after the day when this Act shall come into force.

XVII. This Act shall be deemed a Public Act.