

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

20 Victoria – Chapter 95

An Act to incorporate the Town of Lindsay and define the Limits thereof. Assented to 10th June, 1857.

Whereas from the rapidly increasing population of the Village of Lindsay, in the County of Victoria, one of the United Counties of Peterboro' and Victoria, and from the peculiar position thereof as the intended County Town, and Northern terminus of the Port Hope Railway, it is necessary to confer upon the said Village the power of Municipal Government and incorporate it as a Town under the name of the "Town of Lindsay": 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 Lindsay shall be a body corporate apart from the Township of Ops, in which the said Town is situated, 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 and through, and in the name of the Municipality of the Town of Lindsay.
- II. The said Town of Lindsay shall be comprised within the following limits or boundaries, that is to say: The present Town and Park Lots as laid out by the Government, and lots numbers nineteen and twenty-two in the fifth concession, and lots numbers nineteen, twenty, twenty-one and twenty-two, in the sixth concession of the aforesaid Township of Ops.
- III. The said Town of Lindsay shall be divided into three Wards, to be known as the North Ward, South Ward, and East Ward respectively. The North Ward shall consist of all that part of the Town, north of the centre line of Peel Street, and west of the centre line of the boundary or concession line, between the fifth and sixth concessions of the said Township of Ops: The South Ward shall consist of all that part of the Town south of the centre line of Peel Street, and west of the centre line of the boundary or concession line between the fifth and sixth concessions of the said Township of Ops: And the East Ward shall consist of all that part of the Town east of the centre of the aforesaid boundary or concession line, between the fifth and sixth concessions of the said Township of Ops.
- IV. Provided¹ always, that whereas the said Township of Ops is now indebted in the sum of twenty thousand pounds upon outstanding debentures of the Township to that amount, issued for the purpose of aiding the Port Hope, Lindsay, and Beaverton Railway Company, of which debt the said town of Lindsay ought to pay its fair proportion; Therefore, the said Town of Lindsay shall, as regards the holders of the said debentures, remain liable jointly with the said Township of Ops; and as regards the said Township of Ops the said Town shall be liable for a share of the principal and interest of the said debentures, bearing the same proportion to the share for which the said Township of Ops shall be liable as the amount of the assessment on the then last made Assessment Roll of the said Town shall bear to the amount of the assessment on the then last made Assessment Roll of the said Township, at

the several terms when such principal and interest or any part thereof shall respectively become due; and the share so payable by the said Town, shall be payable by it to the said Township, for the purpose of being applied to the payment of such principal and interest; and if not paid may be recovered by the Township as a debt from the Town, if the Township shall have paid the amount to the holders of the said debentures; Provided Always, that the said Township and the said Town may, by their respective Councils, agree upon any other mode of settling the share of the said debt to be paid by each, and such agreement shall be valid as bet ween them, but shall not affect the rights of the holders of the said debentures.

V. The Cleric of the Municipal Council of the Township of Ops shall be *ex officio* Returning Officer for the purpose of holding the first election under this Act, and shall, immediately after the passing of this Act, by his warrant appoint a Deputy Returning Officer for each of the three Wards into which the said Town of Lindsay is hereby divided, to hold the first election therein, and in the discharge of their duties each Deputy Returning Officer shall severally be subject to all the provisions of the Upper Canada Municipal Corporations Acts, applicable to the first elections in Towns incorporated under the said Acts.

VI. 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.

VII. The Collector or Township Clerk of the Township of Ops, 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.

VIII. This Act shall be deemed a Public Act.