

running parallel with and adjoining the said original Road Allowance was given by the owners of the lots through which the said road runs, and has since been used as a public highway, good at all seasons of the year for travel and sufficient for the public convenience; And whereas the owners of the land on the original Allowance for Road have by petition represented that until the same shall be finally closed, they, as well as the people of the Township, will always be subject to annoyance through persons having no real interest therein agitating the opening thereof, to the great damage of the Petitioners, who in case of an order of the Municipal Council to open the same being issued, might be compelled to comply therewith, thereby having two parallel roads in the immediate vicinity of each other, and they have therefore prayed that the said Allowance may be closed; And whereas it is expedient to comply with the prayer of the Petitioners and to vest the said original Allowance for Road in the Municipal Council of the said Township of Stamford: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

A certain original allowance for road vested in the Township Council.

I. The original allowance for Road in the Township of Stamford in the County of Welland, leading from the Niagara River and lying between lots numbers one hundred twenty-eight, one hundred twenty-seven, one hundred twenty-six, one hundred twenty-five, one hundred twenty-four, one hundred twenty-three, one hundred twenty-two, one hundred twenty-one, and one hundred and twenty, on the north side of the said Allowance for Road, and lots numbers one hundred twenty-nine, one hundred thirty, one hundred thirty-one, one hundred thirty-two, one hundred thirty-three, one hundred thirty-four, one hundred thirty-five, one hundred thirty-six, and the broken front of one hundred twenty-nine, on the south side thereof, shall be and is hereby vested in the Municipal Council of the Township of Stamford, with full power from time to time to sell and convey, or to lease or otherwise deal with the whole or any part of the said Allowance for Road as they may deem expedient.

With power to sell, &c.

Public Act.

II. This Act shall be deemed a Public Act.

## C A P. L X I I I .

### An Act to incorporate the Town of Clifton.

[Assented to 19th June, 1856.]

Preamble.

**W**HEREAS from the rapidly increasing population of the Village of Elgin in the County of Welland, one of the United Counties of Lincoln and Welland, and from the peculiar position thereof as the Eastern Terminus of the Great Western Railway, it is necessary to confer upon the said Village the power of Municipal Government; And whereas it is also desirable to

change

change the name of the said Village and incorporate it as a Town, under the name of the Town of Clifton: 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 said Town of Clifton shall be a body corporate apart from the Township of Stamford, in which such 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 Clifton.

Town of Clifton incorporated.

General powers.

II. The said Town of Clifton shall be comprised within the following limits or boundaries, that is to say: commencing at the centre of the Niagara River, at a point where the north side-line of Lot number seventy-five of the Township of Stamford would strike, if produced;—Thence west, along the said north side-line of Lot number seventy-five to the north-east angle of Lot number seventy-six;—Thence south, along the east side of Lot number seventy-six to the south-east corner thereof;—Thence west, along the south side of the said Lot to the north-east angle of Lot number ninety;—Thence south, along the east side of Lots numbers ninety, ninety-five, one hundred and eight and one hundred and thirteen to the south-east angle of the said Lot number one hundred and thirteen;—Thence east, between Lots numbers one hundred and twenty-seven and one hundred and twelve to a point where the west line of a property subdivided by the late Ogden Creighton, Esquire, would strike, if produced;—Thence south, along the said property line through Lot number one hundred and twenty-seven and part of Lot number one hundred and twenty-nine to the northerly side of Magdalene Street;—Thence south, forty-five degrees east, along the northerly side of Magdalene Street and crossing Clifton Street to the land of the Erie and Ontario Railroad;—Thence southerly, along the westerly side of the said Railroad Company's land along Clifton Street and through the lands of the "City of the Falls" Company" to the division line between blocks numbers nine and ten of the said Company's land;—Thence east, crossing the Railroad land and between the said blocks numbers nine and ten to the centre of the Niagara River;—Thence down the centre of the said river northerly, the several courses thereof, to the place of beginning.

Boundaries of the Town.

III. Immediately 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 Clifton, which Returning Officer shall appoint the time and place for holding the first election of five Councillors for the said Town, of which appointment he shall give notice by posting the same at least ten days before the election in three or more public places in the said Town.

Governor to appoint first Returning Officer.

IV.

General duties of Returning Officer.

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

Collector to furnish copy of his roll so far as relates to the limits of the Town.

V. The Collector of the Township of Stamford aforesaid, or other person having the legal custody of the Collector's Roll, for the year in which this Act is passed, shall furnish to the said Returning Officer a true copy of the said Roll so far as the same relates to voters resident within the limits of the said Town; and so far as such Roll contains the names of all 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.

Oath of Returning Officer.

VI. The said Returning Officer before holding the said election shall take the same oath or affirmation as is now required by law for Returning Officers in any Town in Upper Canada.

Elections in future years.

VII. Elections for Councillors of the said Town of Clifton after the year one thousand eight hundred and fifty-six, shall be held in conformity with the statutory provisions in respect of the several incorporated Towns of Upper Canada.

Oaths of persons elected.

VIII. 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.

Organization and powers of Town Council

IX. 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.

Town to cease to be part of Township.

X. From and after the passing of this Act the said Town shall cease to form a part of the said Township of Stamford, and shall, to all intents and purposes whatsoever, 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 or to be imposed by law within the limits of the said Town or the collection thereof for the current year.

Taxes for 1856 not affected.

XI. Whenever it may appear desirable to the Governor in Council, it shall and may be lawful for the Governor of this Province, by an Order in Council, to issue a Proclamation, under the Great Seal of this Province, dividing the said Town into Wards, setting forth the boundaries of the same, and to make a division of the said Town into Wards in such way or manner as may be deemed advisable; any law to the contrary thereof in any wise notwithstanding.

Governor may divide the town into Wards.

XII.

XII. All Acts and parts of Acts, and provisions of law or of the Parliament of this Province, and all Acts, By-laws, rules and regulations of any Township meeting, County Council, Counties 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 they are hereby repealed, and shall cease to be in force from and after the day when this Act shall come into force.

Inconsistent Acts, By-laws, &c., repealed.

XIII. Whenever the Village of Drummondville shall become an incorporated Village or Town, the boundaries of the said Town of Clifton and Village or Town of Drummondville shall be adjusted by a Commissioner to be appointed for that purpose by the Governor in Council.

Case of incorporation of Drummondville provided for.

XIV. This Act shall be deemed a Public Act.

Public Act.

## C A P . L X I V .

An Act for the construction of Water Works in the City of Hamilton.

[Assented to 19th June, 1856.]

**W**HEREAS the construction of Water Works and a supply of water would conduce to the health and comfort of the inhabitants of the City of Hamilton: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. The persons hereafter to be elected in the manner provided for in this Act, and their successors, shall constitute a Board, to be called and known as the Water Commissioners for the City of Hamilton.

Board of Commissioners constituted.

II. It shall be the duty of the said Commissioners to examine, consider and decide upon all matters relative to supplying the said City of Hamilton with a sufficient quantity of pure and wholesome water for the use of its inhabitants, and the amount of money necessary to effect that object.

Duty of Commissioners:

III. The said Commissioners shall have power to employ engineers, surveyors and such other persons as in their opinion may be necessary to enable them to fulfil their duties under this Act.

Commissioners may employ Engineers, &c.

IV. It shall and may be lawful for the said Commissioners, their agents, servants and workmen, from time to time, and at such times hereafter as they shall see fit, and they are hereby authorized and empowered to enter into and upon the lands of any person or persons, bodies politic or corporate, in the City of Hamilton, or within twenty miles of the said city, and to

Commissioners may enter upon and take lands, water courses, &c.