

C A P . L X V I I .

An Act to authorize a Survey of the Broken Front Concession of the Township of Darlington, and for other purposes.

[Assented to 19th June, 1856.]

WHEREAS certain inhabitants, Resident Freeholders, Owners of the Lots in the Broken Front Concession of the Township of Darlington, have petitioned the Legislature to pass an Act authorizing a Provincial Land Surveyor to be appointed under it, to make a Survey of the Broken Front Concession of the Township of Darlington, giving to all Lots an equal width, and fixing stone monuments at the front and rear of each Lot, making such survey final and conclusive, and authorizing the Municipal Council of the Township of Darlington to assess the expenses of such survey rateably upon the owners of such land, and repealing all or any Acts of Parliament which may interfere with the operation of the said Act, so far as they relate to the Broken Front of Darlington; And whereas it is expedient to grant the said petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The Municipal Council of the Township of Darlington, shall have power at any time after the passing of this Act, to pass a By-law authorizing such competent licensed Surveyor as they may appoint by such By-law to make a survey of the Broken Front Concession of the Township of Darlington, giving to all lots an equal width and fixing stone monuments at the front and rear of each lot; and the limits of each lot so ascertained and marked shall be taken to be and are hereby declared to be the true limits thereof; any law, usage, statute of limitations or otherwise to the contrary notwithstanding.

Township Council may cause broken front to be surveyed, and monuments placed.

II. If any Action of Ejectment shall be brought against any person or persons who after the said lines shall be established by virtue of this Act shall be found to have improved on land of which such survey would deprive him, it shall and may be lawful for the Judge of Assize before whom such Action is tried, to direct the Jury to assess such damages for the defendant or defendants for any loss he or she or they may sustain in consequence of any improvement made before the passing of this Act, and also, to assess the value of the land to be recovered; and if a verdict shall be found for the plaintiff or plaintiffs, no writ of possession shall issue until such plaintiff or plaintiffs have tendered or paid the amount of such damages as aforesaid, or shall have offered to release the said land to the defendant, provided the said defendant shall pay or tender to the plaintiff the value of the land so assessed before the fourth day of the ensuing term, and the defendant shall have failed so to pay or tender the same.

Proceedings in case of action of ejectment brought against any person who by such survey shall be found to have improved on land not belonging to him.

Copy of survey
to be furnished
to Commis-
sioner of
Crown Lands.

III. Upon such survey being made, it shall be the duty of the said Municipal Council to furnish to the Commissioner of Crown Lands a certified copy of the same and the field notes and report thereof.

Public Act.

IV. This Act shall be deemed a Public Act.

C A P . L X V I I I .

An Act to incorporate the Town of Sarnia, in the County of Lambton.

[Assented to 19th June, 1856.]

Preamble.

WHEREAS the inhabitants of Port Sarnia, in the County of Lambton, have, by their Petition to the Legislature, represented that it is now the County Town of the said County of Lambton, and contains upwards of one thousand inhabitants, and that it is the wish of the Municipality of the Township of Sarnia, in which it lies, and of that of the County of Lambton, that it should be incorporated, and have prayed that it may be incorporated by the name of the Town of Sarnia; 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:

Town of Sar-
nia incorpor-
ated.

I. The Town plot or tract of land now known as the Town of Port Sarnia, and lying within the boundaries mentioned in the Schedule A to this Act, shall, upon, from and after the first day of January, in the year one thousand eight hundred and fifty-seven, be called and known as the Town of Sarnia, and shall be incorporated with the rights, powers and privileges of an incorporated Town.

Provisions U:
C. Municipal
Incorporations
Acts to apply
to it.

II. So much of the Upper Canada Municipal Corporations Acts as relates to incorporated Towns, shall, from and after the day last aforesaid, apply to the said Town of Sarnia; and the said Town shall, as an incorporated Town, have and exercise all and singular the rights, powers, privileges and jurisdiction which are thereby granted or conferred to or upon; or as shall by virtue of the said Acts, or of any other Act or Acts now in force or hereafter to be in force in Upper Canada, belong to incorporated Towns; and all the rules, regulations and enactments in the said Acts or any of them contained, or which shall in any wise apply to incorporated Towns, shall apply to the said Town of Sarnia, as fully as if it had become an incorporated Town under the ordinary operation of the said Upper Canada Municipal Corporations Acts, with the exception hereinafter made.

III.