

C A P . X C V .

An Act to provide for the separation of the County of Victoria from the County of Peterborough, and to fix the County Town at Lindsay.

[Assented to 1st July, 1856.]

WHEREAS a great number of the Inhabitants of the several Townships and places in the County of Victoria have by their Petition, prayed that the said County of Victoria, now united to the County of Peterborough, may be set apart as a separate County for Judicial and other purposes, without unnecessary delay; and the wealth and population thereof being sufficient to warrant the same, it is expedient to make provision to enable the said County to separate from the said County of Peterborough, as soon as the necessary provisions for that purpose shall have been made: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. It shall be lawful for the County Council of the United Counties of Peterborough and Victoria, whenever they shall receive petitions from a majority of the Township Councils in the said County of Victoria, in favor of a dissolution of the said Union, to appoint some convenient day in the month of January of any succeeding year, for the purpose of taking a vote of the rate-payers of the said several Townships composing the said County of Victoria. upon the question of such dissolution, which said vote shall be taken at the same places, in the same manner, and by the same officers, as votes are taken for the election of Councillors, and shall be recorded in books prepared for that purpose, each voter in favor of such dissolution voting "Yea," and each voter against such dissolution voting "Nay;" at least ten days' notice of the time appointed for taking the said vote being previously given in at least ten public places in each Municipality.

Council of Peterborough and Victoria on receiving petitions to that effect, may cause a vote of the Rate-payers of Victoria to be taken on the question of a dissolution.

II. The Returning officers to take such votes for the respective Townships shall, within ten days thereafter, return their Poll Books verified under oath, to the Clerk of the County Council, who shall publish and declare the result of the same for the information of all concerned; and if it shall appear that a majority of all the rate-payers voting at the said polling, have recorded their votes in favor of the said dissolution, then the Town Reeves and Deputy Town Reeves of the several Townships in the said County of Victoria, as the same is described and limited in and by the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Reign, and intitled, *An Act to make certain alterations in the Territorial Divisions of Upper Canada*, shall form a Provisional Municipal Council for the said County, and shall with respect to the

Returning Officers to return Poll-books to Clerk of County Council, who shall declare the result. Provisional Council formed if the majority of votes be yea. 14 & 15 V. c. 5.

said

Its powers to be as under—

12 V. c. 78, &c.

Power to purchase the requisite lands in Lindsay, which shall be the County Town.

Proclamation and dissolution when the requisite buildings are erected at Lindsay.

County Officers to be appointed.

First meeting of Provisional Council.

Notice.

Failure of meeting.

Warden to appoint a person to preside until election.

said County, have, possess and exercise, all and singular the rights, powers, privileges and duties conferred, granted or imposed by the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act for abolishing the Territorial Division of Upper Canada into Districts, and for providing for temporary Unions of Counties for Judicial and other purposes, and for the future dissolution of such Unions as the increase of wealth and population may require*, upon Provisional Municipal Councils erected by Proclamation under the authority of the said Act, and also all the powers which may be conferred on Provisional Municipal Councils generally by any other Act or Law in force in Upper Canada; and such Provisional Council shall and may, so soon as they shall think fit so to do, purchase or otherwise procure the necessary property at the Town of Lindsay, which is hereby declared to be the County Town of the said County of Victoria, and proceed to erect the necessary public buildings on such property; and all the provisions of the Act last above cited shall apply to the said Provisional Municipal Council and to the said County of Victoria.

III. So soon as the Court House and Gaol of the said County shall be erected and completed at the Town of Lindsay aforesaid, according to the provisions of the fifteenth section of the said lastly in part recited Act, and the other provisions of the said fifteenth section shall have been complied with by the said County, it shall and may be lawful for the Governor of this Province to appoint the necessary officers as provided by the seventeenth section of the said lastly in part recited Act, and by Order in Council to issue a Proclamation dissolving the union between the said County of Victoria and the said County of Peterborough, from the date to be mentioned in such Proclamation: and all the provisions of the said lastly in part recited Act, or of any other Act or law in force in Upper Canada applicable to Counties on and after their being separated from other Counties, shall apply to the said Counties of Peterborough and Victoria respectively.

IV. The said Provisional Council shall first meet at the said Town of Lindsay, and a notice of such meeting shall be published in some newspaper published within the said County of Victoria or in some adjoining County, and a copy of such notice sent by mail or otherwise to each member of such Provisional Council, at least eight days before the day appointed for such meeting, by the Warden of the said United Counties of Peterborough and Victoria; or if such meeting should fail on the said day, a meeting may be called in like manner for another day.

V. The said Warden of the United Counties of Peterborough and Victoria shall, by a warrant under his hand and seal, appoint one of the Town Reeves or Deputy Town Reeves of the said County of Victoria, to preside at the first meeting of the said

said Provisional Municipal Council until a Provisional Warden of Provisional Warden shall be elected by such Provisional Municipal Council.

VI. This Act shall be deemed to be a Public Act.

Public Act.

C A P . X C V I .

An Act to settle the Northern Boundary Line of the City of Toronto.

[Assented to 1st July, 1856.]

WHEREAS the Concession Line now forming the northern Preamble. limit of the liberties of the City of Toronto, (being the allowance for road between the Park Lots and the second Concession in the Township of York,) has been found to diverge from the proper course, and the Common Council of the City of Toronto caused the same to be made straight, and expended a large sum of money in turnpiking and otherwise improving the said line of road and in building stone culverts thereon, and after such expenditure was made it was discovered that the said line in the original survey thereof had been either through carelessness or inadvertence run irregularly and crookedly, by means whereof the line of road upon which such expenditure was made is without the liberties of the said City, and the Mayor, Aldermen and Commonalty of the City of Toronto have no power to retain possession thereof or arrange with the owners and proprietors or others interested in the land so taken in the straightening of the said road for the value thereof or for damages claimed by them; And whereas it is expedient that authority be given to the Mayor, Aldermen and Commonalty of the City of Toronto, to straighten the said road and to arrange with the said proprietors or owners of land necessarily taken for that purpose, or other persons interested therein, and that such straight line should be made the northern boundary of the said City of Toronto: 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 said Concession Line so straightened as aforesaid shall be taken to be and shall be the northerly boundary line of the liberties of the said City of Toronto; and all the land lying between the line so straightened and the line as originally run, together with the land contained within the said original line, shall be vested in the Mayor, Aldermen and Commonalty of the City of Toronto for the purposes hereinafter mentioned.

The Line as straightened to be the northern boundary of Toronto: and the land gained vested in Corporation.

II. All claims for compensation to parties whose property shall be taken by virtue of the preceding section, shall be settled and adjusted by arbitration in the manner prescribed by the thirty-third section of the Act passed in the sixteenth year of

Settlement of claims of persons losing land.