

Provincial Statutes of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 7

An Act for better defining the limits of the Counties and Districts in Upper Canada, for erecting certain new Townships, for detaching Townships from some Counties and attaching them to others, and for other purposes relative to the division of Upper Canada into Townships, Counties and Districts. (10th February, 1845.)

Whereas doubts have arisen as to the precise limits of many Counties in Upper Canada, so that it hath become uncertain in what Counties divers Townships and tracts of land are situate, and it is expedient to remove such doubts and to define the limits of the said Counties, and to alter the names of certain Counties and Ridings, and also declare of what Counties the several Districts in Upper Canada shall respectively consist: And whereas, it is also expedient to divide certain Townships in Upper Canada, so as to form new Townships, and to declare in what Counties the same or any new Townships hereafter to be erected shall be included, and to make other provision with regard to such new Townships; and also to detach certain Townships from the Counties in which they are now included, and to attach them to others to which it will be for the greater convenience of the inhabitants that they should be attached: be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted by the authority of the same, That the several tracts of land mentioned in the Schedule A. to this Act annexed, shall respectively form new Townships, by the names assigned to them respectively in the said Schedule: Provided always, that in all cases where any portion of a Township is detached therefrom by this Act, the remainder shall thereafter form a Township by the name which the whole Township bore, unless it be otherwise provided.

II. And be it enacted, That the said new Townships and also all such tracts of land in Upper Canada not theretofore included in any Township, as shall from time to time, by Proclamation under the Great Seal of this Province, be erected into Townships, shall respectively be subject to and have the benefit of all the enactments and provisions of law to which the other Townships in Upper Canada are or shall be subject, or to the benefit of which they are or shall be entitled, except in so far only as such enactments or provisions shall be inconsistent with this Act or clearly inapplicable to any such new Township by reason of its recent erection.

III. And be it enacted, That the persons entitled to vote at the first Township meeting for any such new Township as aforesaid, shall be those whose names are on the then last assessment roll for the Township from which any portion of the new Township shall have been detached as being assessed for property within such portion and the Clerk of the Peace in whose custody any such assessment roll may be, shall furnish the Judge of the District Court of the District in which the new

Township shall lie, on his requisition with a certified list of the persons who shall be qualified as aforesaid to vote in such new Township to be by such Judge transmitted to the person appointed to preside at each first Township meeting.

IV. And be it enacted, That the first meeting for the election of Township officers in each of the new Townships mentioned in the Schedule A., shall be held on the second Monday of April next, and the first meeting in any Township to be hereafter erected, shall be held on the second Monday of June next after the date of the Proclamation, if such date be earlier in any year than the first day of May, otherwise it shall be held at the same time as in other Townships; but all such meetings after the first shall be held at the same time as in other Townships; and the place of the first meeting and the person who shall preside thereat shall be appointed by the District Judge of the District in which the Township shall lie, on the application of any ten resident freeholders in such Township; and notice of the time and place of such first meeting shall be given in such manner as the said District Judge shall direct.

V. And be it enacted, That the North Riding of the County of Northumberland shall hereafter be known and designated by the name of The County of Peterborough, the South Riding of the said County, by the name of The County of Northumberland, the West Riding of the County of Halton, by the name of The County of Waterloo, the East Riding of the same County, by the name of The County of Halton, and the South Riding of the County of Lincoln, by the name of The County of Welland, and the North Riding, by the name of The County of Lincoln.

VI. Provided always, and be it enacted, That in all cases in which a new Township is formed out of portions detached from any old Township or Townships, the Collector of each such old Township shall furnish the Collector of the new Township with a correct Schedule of all the taxes then due in such detached portion, and of the persons by whom and the lands or property upon which the same are payable, and shall thereafter be discharged from all obligation to collect the same which shall be paid to and collected by the Collector of such new Township, and by and to him and his successors only with the accumulation or increase of arrears thereupon if any, and the Bond of the Collector of such new Township and of his successors shall extend to and bind them duly to collect such arrears, and to pay over the same as if they had accrued after the erection of the new Township.

VII. And be it enacted, That the Counties and Ridings of Upper Canada shall respectively consist of and include the Townships mentioned as lying therein, in the Schedule B. annexed to this Act, and such other Township as may hereafter be attached thereto under the provisions of this Act, as well for all purposes relative to the election of Members of the Legislative Assembly, as for all other purposes whatever, unless it be otherwise provided in the said Schedule; and whenever any District is in this Act described as consisting of any County or Counties, Riding or Ridings, such description shall be construed as applying to such County or Counties, Riding or Ridings, as defined and limited for such purposes by the provisions of this Act: Provided always, that all such Counties as are now united for the purpose of being represented by one Member in the Legislative Assembly, shall remain so united for that purpose, but as respectively defined and limited under this Act.

VIII. And be it enacted, That the several Districts in Upper Canada, for Judicial, Municipal and other purposes, shall respectively include and consist of the Counties and Ridings hereinafter mentioned, that is to say:

District of Bathurst—The Counties of Lanark and Renfrew.

District of Brock—The County of Oxford.

District of Colborne—The County of Peterborough.

District of Dalhousie—The County of Carleton.

Eastern District—The Counties of Stormont, Dundas, and Glengarry.

District of Gore—The County of Wentworth (including the Townships of Seneca and Oneida,) and the County of Halton.

Home District—The County of York and the City of Toronto.

District of Huron—The County of Huron.

District of Johnstown—The Counties of Leeds and Grenville.

District of London—The County of Middlesex. .

Midland District—The Counties of Frontenac, Lennox and Addington.

District of Newcastle—The Counties of Northumberland and Durham.

District of Niagara—The Counties of Lincoln and Welland, and the County of Haldimand, except the Townships of Seneca, Oneida, Rainham, and Walpole.

District of Ottawa—The Counties of Prescott and Russell.

District of Prince Edward—The County of Prince Edward.

District of Simcoe—The County of Simcoe.

District of Talbot—The County of Norfolk.

District of Victoria—The County of Hastings.

District of Wellington—The County of Waterloo. -

Western District—The Counties of Essex and Kent.

IX. Provided always, and be it enacted, That if under the provisions of this Act any Township or tract of land shall become detached from any such District and attached to some other, all indictments, suits, actions, and proceedings pending in any Court at the time of the passing of this Act, may nevertheless be continued to trial and judgment in such Courts, and any such judgment may be executed as if this Act had not been passed, notwithstanding any change in the local jurisdiction of any such Court.

X. And be it enacted, That all local taxes and assessments, which shall have accrued and remain due on any land or property in any Township or tract of land, at the time when under the provisions of this Act it shall be detached from any District and become part of any other District, shall be paid to and may be recovered by the Treasurer of the District last mentioned and by him only, under the same provisions with regard to the rate of increase if not paid, and the time at which the land may be sold for such taxes, and, with regard to ail other matters, as if such Township or tract of land had always formed part of such last mentioned District; but the portion of such taxes accrued before its detachment from such first mentioned District shall be paid over to the Treasurer thereof.

XI. Provided always, and be it enacted, That any thing in this Act contained shall not in any wise affect the seat of any Member of the Legislative Assembly.

XII. And be it enacted, That whenever under the provisions of this Act, any new Township is now or hereafter shall be formed and shall contain thirty inhabitant freeholders and householders, a District Councillor or District Councillors, as the case may require, shall be elected to represent such new Township in the District Council, as if a vacancy (or vacancies) had occurred therein for such Township, or at the then next annual election, if the third quarterly meeting of the year be then over; but in either case the Councillor (or Councillors) elected shall hold their seats until they go out as being amongst the number of those who have held their seats for the longest time; but if any such new Township be not entitled to be represented in the District Council; it may be united with any adjacent Townships in the manner by law directed.

XIII. And be it enacted, That whenever, under the provisions of this Act, any whole Township shall be detached from any District and attached to another District, the District Councillor or Councillors (if any there be) representing such Township in the District Council of the first mentioned District, shall forthwith vacate their seats therein, and a District Councillor (or Councillors as the case may require) shall be elected to represent such Township in the District Council of the last mentioned District as if a vacancy (or vacancies) had occurred therein for such Township, or at the then next annual election, if the third quarterly meeting of the year be then over; but in either case the Councillor or Councillors elected shall hold their seats until they go out as being amongst the number of those who have held their seats for the longest time; but if any such new Township be not entitled to be represented in the District Council of such last mentioned District, it may be united with any other Township therein in the manner by law directed: Provided that if part only of a Township be so detached from any District and attached to another District, the Councillor or Councillors who represent the Township in the District Council of the first mentioned District shall not vacate his or their seats, until he or they would otherwise have vacated the same, but a Councillor or Councillors shall be elected to represent the detached portion in the District Council of the District last mentioned (if it form a whole Township therein and is entitled to be represented therein, and not otherwise) as in the case of a whole Township detached from one District and added to another.

XIV. And be it enacted, That whenever any new Township shall hereafter be laid out and surveyed by the authority of the Provincial Government, it shall be lawful for the Governor in Council, by Proclamation to attach such new Township to the County to which it shall be adjacent, or to that one of the adjacent Counties (if there be more than one) to which it shall be deemed most for the public good to attach it.

XV. Provided always, and be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of the Provincial Parliament.

SCHEDULE A.
NEW TOWNSHIPS.

East Zorra,—Which shall include and consist of so much of the present Township of Zorra as lies eastward of the line dividing the eighth concession thereof from the ninth.

West Zorra,—Which shall include and consist of that part of the present Township of Zorra lying westward of the line last mentioned.

Storrington,—Which shall include and consist of all that part of the seventh concession of the Township of Kingston, lying east of the Lot number eleven, all that part of the Township of Loughborough lying east of Loughborough Lake, and all that part of the Township of Pittsburgh lying northward and westward of the Channel of the Rideau Canal.

Murray,—Which shall include and consist of the present Township of Murray and the Peninsula of Presqu'isle [Presqu'île].

Metcalfe,—Which shall include and consist of that part of the present Township of Ekfrid, north-west of the fifth concession thereof, and that part of the Township of Adelaide, south of the fifth concession thereof, and south of the Egremont Road.

North Monaghan,—Which shall include and consist of the seven most northerly concessions of the present Township of Monaghan, including one-half the Concession Road, in front of the seventh concession.

South Monaghan,—Which shall include and consist of all that part of the present Township of Monaghan not included in the new Township of North Monaghan, and the remaining half of the said Concession Road.

North Elmsley,—Which shall include and consist of so much of the present Township of Elmsley as lies northward of the River Rideau.

North Burgess,—Which shall include and consist of so much of the present Township of Burgess as lies north of the River Rideau.

Escott,—Which shall include and consist of all that part of the present Township of Yonge, which formerly constituted the Township of Escott.

SCHEDULE B.
COUNTIES AND RIDINGS.

Addington,—(Which for the purpose of representation in the Legislative Assembly shall be united as it now is with the County of Lennox,) shall include and consist of the Townships of Amherst Island, Camden, Ernestown, Kaladar, Sheffield and Anglesea.

Carleton,—Which shall include and consist of the Townships of Fitzroy, Goulbourn, North Gower, Gloucester, Huntley, March, Marlborough, Nepean, Osgoode and Torbolton, and, except for the purposes of representation in the Legislative Assembly, the Town of Bytown.

Dundas,—Which shall include and consist of the Townships of Mountain, Matilda, Winchester, and Williamsburgh [Williamsburg].

Durham,—Which shall include and consist of the Townships of Clarke, Cavan, Cartwright, Darlington, Hope, and Manvers.

Essex,—Which shall include and consist of the Townships of Anderdon, Colchester, Gosfield, Maidstone, Mersea, Malden, Rochester, and Sandwich.

Frontenac,—Which shall include and consist of the Townships of Bedford, Barrie, Clarendon, Hinchinbrooke, Kingston, Kennebec, Loughborough, Olden, Oso, Portland, Pittsburgh, which shall include Howe Island, Palmerston, Storrington, and Wolfe Island, and, except for the purposes of representation in the Legislative Assembly, the Town of Kingston.

Glengarry,—Which shall include and consist of the Townships of Charlottenburgh, Kenyon, Lochiel, and Lancaster, and the Indian Reservation adjoining the said Townships of Charlottenburgh and Kenyon.

Grenville,—Which shall include and consist of the Townships of Augusta, Edwardsburgh, South Gower, Oxford, and Wolford [Merrickville-Wolford].

Haldimand,—Which shall for all purposes include the Townships of Canborough, Cayuga, Dunn, Moulton, Sherbrooke, - and for the purposes of representation in the Legislative Assembly and of registration of titles only, the Townships of Seneca, Oneida, Rainham and Walpole.

Halton,—Which shall include and consist of the Townships of Beverly, Esquesing, East Flamborough, West Flamborough, Nassagaweya, Nelson, and Trafalgar, and for all purposes except that of representation in the Legislative Assembly, the Township of Dumfries, and for the purpose of representation in the Legislative Assembly only, the Township of Erin.

Hastings,—Which shall include and consist of the Townships of Elzevir, Grimsthorpe, Hungerford, Huntingdon Lake, Marmora, Madoc, Rawdon, Sydney [Port Sydney], Tudor, Thurlow and Tyendinaga.

Huron,—Which shall include and consist of the Townships of Ashfield, Biddulph, Blanchard, Colborne, Downie, Ellice, South Easthope, North Easthope, Fullerton [Fullarton], Goderich, Hibbert, Hay, Hullet, Logan, McKillop, McGillivray, Stephen, Stanley [Port Stanley], Tuckersmith, Osborne, and Wawanosh.

Kent,—Which shall include and consist of the Townships of Bosanquet, Brooke [Brooke-Alvinston], Camden, Chatham [Chatham-Kent], Dawn [Dawn-Euphemia], East Dover, West Dover, Enniskillen, Howard, Harwich, Moore, Orford, Plympton [Plympton-Wyoming], Raleigh, Romney, Sarnia, Sombra, East Tilbury, West Tilbury, Warwick, and Zone.

Lanark,—(Which for the purpose of representation in the Legislative Assembly, shall be united as it now is, with the County of Renfrew,) shall include and consist of the townships of Bathurst, Beckwith, Drummond, Dalhousie [Port Dalhousie], Darling, North Elmsley, North Burgess, Levant, Lanark, Montague, Ramsay, North Sherbrooke, South Sherbrooke.

Leeds,—Which shall include and consist of the Townships of Bastard, Burgess, North Crosby, South Crosby, Elmsley, Elizabethtown, Kitley, Lansdown, Leeds, Yonge, and Escott, and except for the purposes of representation in the Legislative Assembly the Town of Brockville.

Lennox,—(Which shall for the purpose of representation in the Legislative Assembly, be united as it now is, to the County of Addington,) shall include and consist of the Townships of Adolphustown, Fredericburgh [Fredericksburgh], Fredericburgh additional and Richmond.

Lincoln,—Which shall include and consist of the Townships of Caistor, Clinton, Gainsborough, Grantham, Grimsby, Louth, Niagara, and (except for the purposes of representation in the Legislative Assembly) the town of Niagara.

Welland,—Which shall include and consist of the Townships of Bertie, Crowland, Humberstone, Pelham, Stamford, Thorold, Wainfleet, and Willoughby.

Middlesex,—Which shall include and consist of the Townships of Adelaide, Aldborough, Bayham, Carradoc, Delaware, Dorchester, Dunwich, Ekfrid, Lobo, London, Metcalfe, Mosa, Malahide, Southwold, Westminster, Williams, Yarmouth, and (except for the purposes of representation in the Legislative Assembly,) the Town of London.

Norfolk,—Which shall for all purposes include the Townships of Charlotteville, Houghton, Middleton, Townsend, Woodhouse, Windham, Walsingham, and Long Point, and Ryerson's Island in Lake Erie and (for all purposes except that of representation in the Legislative Assembly, and that of registrations of titles,) the Townships of Rainham, and Walpole.

Northumberland;—Which shall include and consist of the Townships of Alnwick, Cramahe, Hamilton, Haldimand, South Monaghan, Murray, Percy and Seymour.

Oxford,—Which shall include and consist of the Townships of Blandford, Blenheim, Burford, Dereham, Missouri, North Oxford, East Oxford, West Oxford, Oakland, Norwich, East Zorra, and West Zorra.

Peterborough,—Which shall include and consist of the Townships of Asphodel [Asphodel-Norwood], Belmont, Burleigh, Bexley, Dummer, Douro, Ennismore, Emily, Eldon, Fenelon, Harvey, Methuen, Mariposa, Otonabee, Ops, Smith, Somerville, Verulam, and North Monaghan.

Prescott,—Which shall include and consist of the Townships of Alfred, Caledonia, East Hawkesbury, West Hawkesbury, Longueuil, and Plantagenet.

Prince Edward,—Which shall include and consist of the Townships of Athol, Ameliasburgh, Hillier, Hallowell, Marysburgh, and Sophiasburgh.

Renfrew,—(Which shall, for the purpose of representation in the Legislative Assembly, be united as it now is with the County of Lanark,) shall include and consist of the Townships of Admaston, Blithfield [Blythefield], Bagot, Bromley, Horton, MacNab [McNab], Pakenham [Pakenham], Pembroke, Ross, Stafford, and Westmeath.

Russell,—Which shall include and consist of the Townships of Clarence [Clarence-Rockland], Cumberland, Cambridge, and Russell.

Simcoe,—Which shall include and consist of the Townships of Adjala, Artemesia, Collingwood, Essa, Flos [Springwater], West Gwillimbury, Innisfil, Medonte, Matchedash, Mulmur, Mono, Notawasaga [Nottawasaga], Osprey [Osprey], Oro, North Orillia, South Orillia, Saint Vincent, Sunnidale, Tay, Tecumseth, Tosorontio, Tiny, Uphrasia [Euphrasia], and Vespra.

Stormont,—Which shall include and consist of the Townships of Cornwall, Finch, Osnabruck, Roxborough, and (except for the purpose of representation in the Legislative Assembly) the Town of Cornwall.

Waterloo—Which shall include and consist of the Townships of Arthur, Amaranth, Bentinck, Derby, Eramosa, Egremont, Guelph, Glenelg, Garrafraxa [Garafraxa], Holland, Luther, Mornington, Minto, Maryborough, Melancthon, Normanby, Nichol, Peel, Proton, Puslinch, Sydenham, Sullivan, Waterloo, Wilmot, Woolwich, and Wellesley, and, for the purpose of representation in the Legislative Assembly only, the Township of Dumfries, and for all purposes except that of representation in the Legislative Assembly, the Township of Erin.

Wentworth,—Which shall for all purposes include the Townships of Ancaster, Brantford, Binbrooke [Binbrooke], Barton, Glandford [Glanford], Onondaga, Saltfleet, and Tuscarora, and (for all purposes except that of representation in the Legislative Assembly, and that of Registration of Titles,) the Townships of Seneca and Oneida, and (except for the purpose of representation in the Legislative Assembly) the Town of Hamilton.

York,—Which shall be divided, as it now is, into four Ridings, each returning one Member to the Legislative Assembly, that is to say:

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The North Riding,—Which shall include and consist of the Townships of Brock, North Gwillimbury, East Gwillimbury, Georgina, Mara, Reach, Rama, Scott, Thora [Thorah], Uxbridge, and Whitchurch [Whitchurch-Stouffville].

The South Riding,—Which shall include and consist of the Townships of Etobicoke, King, Vaughan, and York, and for the purposes of Registration of Titles only, the City of Toronto.

The East Riding,—Which shall include and consist of the Townships of Markham, Pickering, Scarborough, and Whitby.

The West Riding,—Which shall include and consist of the Townships of Albion, Caledon, Chinguacousy, Toronto Gore, and Toronto.