

*Laws of Her Majesty's Province of United Canada*, passed in the year 1851. Quebec: Stewart Derbishire and George Desbarts, 1852.

16 Victoria – Chapter 73

**An Act for the relief of John Knatchbull Roche, of the Town of Port Hope, in the County of Durham, Provincial Land Surveyor. 10th November, 1852.**

Whereas John Knatchbull Roche, Provincial Land Surveyor, did, under the direction of the Provincial Government, and by the authority of the Magistrates of the District of Newcastle, in the year of our Lord, one thousand eight hundred and forty-six, make a survey of the Township of Hamilton, in the said District, and did furnish and erect permanent cut stone monuments at each end of the several concession lines therein; And whereas the said Magistrates in Quarter Sessions, approved of such survey, and allowed the account presented for the said services, to the amount of three hundred pounds, and ordered an assessment of one penny farthing per acre, on each and every acre of land in the said Township, for the payment of the same; And whereas under the said assessment, in consequence of omissions of duty on the part of various officers of the District and Township, the sum of fifty pounds only has been paid to the said John Knatchbull Roche; And whereas no power now exists to direct the levying of such rate, and the said John Knatchbull Roche is without any remedy for the recovery of the residue of the said three hundred pounds, and it is just that the United Counties of Northumberland and Durham, formerly constituting the District of Newcastle, should be rated to pay the same: 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 and declared by the authority of the same, That the balance of the said debt, being the sum of two hundred and fifty pounds, and interest thereon from the Sixth day of July, one thousand eight hundred and forty-seven, to the time of payment, and the costs of a certain action brought by the said John Knatchbull Roche against the Municipality of the said Township of Hamilton for recovery of the said debt, being the sum of fifty-two pounds eleven shillings and two pence, be, and the same is hereby declared to be a debt, due and owing and payable from and by the Municipality of the said United Counties of Northumberland and Durham, to the said John Knatchbull Roche, his executors, administrators and assigns, to be paid out of the general funds in the Treasury thereof, raised or to be raised, for general purposes, or for the special purpose of paying the same, provided there be not sufficient funds in hand for that purpose, when this Act shall come in force; and the same may be sued for and recovered by the said John Knatchbull Roche, from the said Municipality, in the same manner as any other debt due by such Municipality may be sued for and recovered; and the said Municipality shall and may rate and raise the same, in addition to the other rates required for other legal purposes, or such portion thereof as may be necessary to pay said debt, upon estimate in the usual and legal way, as part of the estimated amount which may be required for the purposes of the said United Counties for the year one thousand eight hundred and fifty-three.