

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 28

An Act to incorporate the Town of Whitby, and to define the limits thereof. Assented to 18th December, 1854.

Whereas the inhabitants of the Township of Whitby, residing within the boundaries and limits hereinafter described, by Petition have prayed the Legislature to incorporate the same into a Town; And whereas the population of the same amounts to about two thousand three hundred inhabitants; And whereas it is expedient and necessary, and would tend to promote the benefit and convenience of the inhabitants, if the prayer of the said Petition were granted: 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, as followeth:

- I. The tract of land within the boundaries or limits hereinafter described shall be incorporated into a Town to be called and designated as the Town of Whitby.
- II. So much of the Upper Canada Municipal Corporations Acts as relates to Towns, shall be and is hereby incorporated in this Act, and the said Town of Whitby shall have and exercise all and singular the same rights, powers, privileges and jurisdiction, as are given, granted or conferred upon, or as shall by virtue of any Act or parts of Acts now in force in Upper Canada, or which shall hereafter be in force, belong to incorporated Towns, and all the rules, regulations, provisions and enactments therein contained or which shall in any wise relate or belong to the same, shall apply to the Town of Whitby as fully as if the said tract of Land had become a Town under the ordinary operation of the said Acts, with the exception hereinafter made for the first election.
- III. The said Town of Whitby shall be-comprised within the following limits or boundaries, that is to say: all that certain parcel of land known as lots numbers 24,25,26,27,28 and 29, in the broken front of the Township of Whitby, and lots numbers 23, 24, 25, 26, 27, 28, 29 and 30, and the North halves of lots numbers 22 and 31 in the first concession of the said Township, and lots numbers 25, 26, 27 and 28, and the South halves of lots numbers 22, 23, 24, 29, 30 and 31 in the second concession of the Township of Whitby aforesaid.
- IV. The said Town of Whitby shall be divided into three Wards in the following manner, that is to say: All that part of the Town south of the centre of the first concession aforesaid shall form the South Ward, and all that part of the Town south of Dundas Street to the centre of the first concession aforesaid shall form the Centre Ward, and all that part North of Dundas Street in the second concession of the said Township of Whitby shall form the North Ward.

V. The Sheriff for the time being of the County of Ontario shall be *ex officio* Returning Officer for the purpose of holding the first Municipal Election under this Act, and shall, on or before the Twenty-first day of December next after the passing of this Act, by his warrant, appoint a Deputy Returning Officer for each of the three Wards into which the said Town of Whitby is hereby divided, to hold the first election therein; and in the discharge of their duties such Deputy Returning Officers shall severally be subject to all the provisions of the said Upper Canada Municipal Corporations Acts applicable to first elections in Towns incorporated under the said Acts.

VI. The qualifications of Candidates and Electors at such first election shall be the same as the qualifications for Candidates and Electors respectively at Elections for Municipal Councils in Townships in Upper Canada.

VII. The first Meeting of the Town Council of the said Town: of Whitby shall be held in the Court House in the said Town, ' at the hour of Twelve o'clock noon, on the second Monday next after such first election.

VIII. This Act shall be deemed a Public Act.