

Laws of Her Majesty's Province of United Canada, passed in the year 1856. Quebec: Stewart Derbyshire and George Desbarts, 1856.

20 Victoria – Chapter 110

An Act to vest in the Agricultural Societies of Middlesex and Elgin, certain Lands in the City of London granted for Agricultural purposes, with power to dispose of the same. Assented to 1st July, 1856.

Whereas the Agricultural Society of the County of Elgin have by their petition set forth, — that on the third day of September, one thousand eight hundred and forty five, Letters Patent were issued granting ten acres of land in the then Town and now City of London, to the then Municipal Council of the District of London, which comprised the tract of land now forming the Counties of Middlesex and Elgin, in trust for the use of the inhabitants of the said District of London, as a site for holding Free Fairs according to law, — that after the passing of the Act substituting Counties for Districts in Upper Canada, the said Counties of Middlesex and Elgin were united but have since been disunited, and that as the said land was granted, as aforesaid, for the use of inhabitants of the now Counties of Middlesex and Elgin, and as at the time of the disuniting of the said Counties as aforesaid, the subject in question was expressly excluded from the proceedings had for adjusting the respective liabilities of the said Counties to each other, and was left as an open question for future settlement, the inhabitants of the County of Elgin are entitled to an equitable share of the said land or of the proceeds thereof, — and they therefore pray that an Act may be passed vesting the said land in the Agricultural Societies of the Counties of Middlesex and Elgin, and empowering and requiring them to sell the said land, and to apportion the proceeds thereof between the Counties of Middlesex and Elgin; And whereas certain portions of the said lands have been disposed of by the Municipal Council of the County of Middlesex to the Great Western Railway Company and to the London and Port Stanley Railway Company, and it is desirable that the titles of the >said Companies thereto should be confirmed, and that the remainder of the said lands not so sold, or their value, should be appropriated so as to secure to each of the said Counties of Middlesex and Elgin, an equitable share thereof: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. So much of the said land as was not sold as aforesaid, by the Municipal Council of the County of Middlesex to the said Railway Companies, or either of them, shall be and is hereby vested in the Agricultural Society of the County of Middlesex and the Agricultural Society of the County of Elgin, as tenants in common, in trust to sell and dispose of the same to the best advantage, by Public Auction, or in such other manner as may be agreed upon by a majority of the President, Vice-President and Directors for the time being of each of the said Societies, and to convey the same in fee to the purchaser or purchasers, under the corporate seals of the said Societies, and the hands of their respective Presidents for the time being; and such purchaser or purchasers shall hold the same quit and clear of any trust to which the said land was subject, and shall not be bound to see to the execution of any such trust, or to the application of the purchase money; Provided always, that such sale or sales shall be subject to all existing leases or interests created by the Municipal Council of the County of Middlesex, in the said land or any part thereof.

II. The proceeds of such sale or sales whenever they shall be made, shall be apportioned and divided between the Agricultural Societies of the said Counties of Middlesex and Elgin, in proportion to their respective populations by the last census; and the amount (if any) so ascertained to belong to each of the said Societies, out of any moneys arising from the said land and received by the Municipal Council of the County of Middlesex, shall be paid over forthwith, or so soon as it shall be received by the said Council, to the Society to which it shall belong, and until it shall be so paid, shall be a debt due by the said County to such Society and recoverable accordingly, and the moneys so apportioned shall be invested or applied by the said Societies respectively, in such manner as to them shall seem best for the promotion and encouragement of Agriculture, and for no other use or purpose whatsoever.

III. All deeds, contracts and agreements heretofore *bonâ fide* made or entered into as aforesaid, by the said Municipal Council of the County of Middlesex to or with the said Railway Companies, or either of them, for the disposal of any part of the said lands, are hereby confirmed and declared to be binding and effectual on all the parties thereto, according to the true intent and meaning thereof; and the said Railway Companies shall hold any portion of the said lands so conveyed to them quit and clear of all trusts, in like manner as purchasers under this Act, and shall pay to the said Municipal Council, any portion of the purchase money of the said land which may be unpaid at the passing of this Act.

IV. This Act shall be deemed a Public Act.