

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

20 Victoria – Chapter 67

**An Act to authorize a Survey of the Broken Front Concession of the Township of Darlington, and  
for other purposes. Assented to 19th June, 1856.**

Whereas certain inhabitants, Resident Freeholders, Owners of the Lots in the Broken front  
Concession of the Township of Darlington, have petitioned the Legislature to pass an Act  
authorizing a Provincial Land Surveyor to be appointed under it, to make a Survey of the Broken  
Front Concession of the Township of Darlington, giving to all Lots an equal width, and fixing stone  
monuments at the front and rear of each Lot, making such survey final and conclusive, and  
authorizing the Municipal Council of the Township of Darlington to assess the expenses of such  
survey rateably upon the owners of such land, and repealing all or any Acts of Parliament which  
may interfere with the operation of the said Act, so far as they relate to the Broken Front of  
Darlington; And whereas it is expedient to grant the said petition: Therefore, Her Majesty, by and  
with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The Municipal Council of the Township of Darlington, shall have power at any time after the  
passing of this Act, to pass a By-law authorizing such competent licensed Surveyor as they may  
appoint by such By-law to make a survey of the Broken Front Concession of the Township of  
Darlington, giving to all lots an equal width and fixing stone monuments at the front and rear of  
each lot; and the limits of each lot so ascertained and marked, shall be taken to be and are hereby  
declared to be the true limits thereof; any Jaw, usage, statute of limitations or otherwise to the  
contrary notwithstanding.

II. If any Action of Ejectment shall be brought against any person or persons who after the said  
lines shall be established by virtue of this Act shall be found to have improved on land of which  
such survey would deprive him, it shall and may be lawful for the Judge of Assize before whom  
such Action is tried, to direct the Jury to assess such damages for the defendant or defendants for  
any loss he or she or they may sustain in consequence of any improvement made before the  
passing of this Act, and also, to assess the value of the land to be recovered; and if a verdict shall  
be found for the plaintiff or plaintiffs, no writ of possession shall issue until such plaintiff or  
plaintiffs have tendered or paid the amount of such damages as aforesaid, or shall have offered to  
release the said land to the defendant, provided the said defendant shall pay or tender to the  
plaintiff the value of the land so assessed before the fourth day of the ensuing term, and the  
defendant shall have failed so to pay or tender the same.

III. Upon such survey being made, it shall be the duty of the said Municipal Council to furnish to  
the Commissioner of Crown Lands a certified copy of the same and the field notes and report  
thereof.

IV. This Act shall be deemed a Public Act.