

An Act to establish certain Road Allowances and Highways in
the Township of Hamilton.

WHEREAS certain inhabitants of the Township of Hamilton in the County of Northumberland, have petitioned to have certain road allowances and highways, within the said township, established by law, irrespective of the original survey, and it is deemed advisable 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 :—

Preamble.

1. It shall be lawful to and for the Corporation of the Township of Hamilton, within six months after the passing of this Act, to direct a survey of Concessions A and B, and the first, second and third Concessions of the said Township of Hamilton to be made according to law by Edward C. Caddy, of the Town of Cobourg, Provincial Land Surveyor, and in case of his death or inability to make the same, by some other competent Provincial Land Surveyor, for the purpose of ascertaining the true courses and positions of such of the allowances for roads in the said concessions, over which the said Corporation has jurisdiction and control, and of the division lines between the several lots in said concessions.

Municipal Council to cause a survey to be made.

2. The several road allowances in the said concessions (except those within the limits of the Town of Cobourg) as travelled in January, one thousand eight hundred and sixty-three, and improved by labor or otherwise, shall be marked with proper cut-stone monuments at the front and rear angles thereof, by the said Caddy, and in case of his inability or death as aforesaid, by some other competent Surveyor, and shall thereafter be taken to be and to have been the true and unalterable Government allowances and public highways, and shall be marked, if they are not now, one chain in width between the several lots, whether the same are or not parallel to the governing line of the several concessions.

Road allowances travelled in Jan., 1863, to be deemed to be the true allowances.

3. The true position of the allowances for roads in the said concessions (except as aforesaid) not now opened throughout and travelled upon shall be likewise ascertained and marked by the said Caddy, with proper cut-stone monuments placed as aforesaid, as also the true and correct position of the division lines between the said lots, and the same shall thereafter be taken to be and to have been the true and unalterable allowances and lines and boundaries of said lots, notwithstanding any occupation or possession thereof, or any part thereof, by any person or persons, any law, usage, or custom to the contrary ; Provided always, that the allowance or allowances for roads which are now partly opened may, if all parties interested consent, be marked and established throughout by said Surveyor, on the same course and bearing as the part opened, in which event they shall be taken to be and to have been the true and unalterable allowance or allowances.

True position of allowances not now opened to be ascertained.

Provido.