

No. 107.

1st Session, 6th Parliament, 21st Victoria, 1858.

(LOCAL BILL.)

BILL.

An Act to incorporate the Village of Wel-
land.

Received and read, first time, Tuesday, 27th
April, 1858.

Second reading, Thursday, 29th April, 1858.

MR. McMICKEN.

TORONTO:

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An Act to incorporate the Village of Welland, in the
County of Welland.

WHEREAS the inhabitants of the village heretofore known as the Village of Merrittsville have by their petition represented, that the said village contains more than seven hundred and fifty inhabitants, and prayed that said village may be incorporated as the Village of Welland; And whereas the same was duly represented by petition to His Excellency the Governor in Council, praying for the issuing of a proclamation declaring the said village to be an incorporated village, a the statute provides; but owing to the dissolution of Parliament and other causes, it could not be accomplished in time to take effect before the municipal elections held in January last; And whereas it is right that the prayer of the said petition should be granted; Therefore Her Majesty, &c., enacts as follows :

I. From and after the passing of this Act, the inhabitants of the village heretofore known as the Village of Merrittsville, shall be a body corporate apart from the Townships of Crowland and Thorold, in which the said village is situate, and as such shall have perpetual succession and a common seal, with such powers and privileges as are now or shall hereafter be conferred on incorporated villages in Upper Canada, and the powers of such corporation shall be exercised by and through and in the name of the Municipality of the Village of Welland.

Village of
Welland in-
corporated.

II. The said Village of Welland shall comprise and consist of the territory contained within the following named boundaries, that is to say :—commencing on the north side of the River Welland, at the north-east corner of lot number two hundred and forty-seven, in the Township of Thorold—thence north two rods to the centre of a certain allowance for road north of that lot—thence west on the centre of the said road along the north ends of lots two hundred and forty-seven, two hundred and forty-eight and two hundred and forty-nine in the Township of Thorold, to the western boundary of said lot two hundred and forty-nine—thence south along the said boundary to the bank of the River Welland—thence across the said river to the north-west corner of lot twenty-eight in the fifth concession of the Township of Crowland—thence south along the western boundary of that lot, and of lot twenty-eight in the sixth concession of the Township of Crowland, to the southern boundary of the said lot twenty-eight in the sixth concession—thence east along the said southern boundary and the southern boundary of lots twenty-seven, twenty-six, twenty-five, twenty-four and twenty-three in the said sixth concession, to the eastern boundary of the said lot twenty-three—thence north along the eastern boundary of the said lot twenty-three and of lot twenty-three in the fifth concession, and lot twenty-three in the fourth

Boundaries of
the Village.

concession of the Township of Crowland, to the northern boundary of the lot last mentioned—thence west to the south bank of the River Welland—thence across the said river to the place of beginning.

Returning Officer to be appointed.

III. Immediately after the passing of this Act, it shall be lawful for the Governor of this Province to appoint a Returning Officer for the said Village of Welland, which Returning Officer shall appoint the time and place of holding the first election in the said village, of which appointment the said Returning Officer shall give notice in a newspaper published in the County of Welland, and by notices posted in at least three conspicuous places in the said village ten days before the said election. 10

His duties, &c. Qualification of voters, &c.

IV. The duties of the said Returning Officer and the qualifications of the voters and of the persons elected as Councillors at such first election, shall be as prescribed by law with respect to Townships in Upper Canada.

He shall be furnished with copies of certain parts of the Assessment Rolls of Crowland and Welland.

V. The Collectors or Townships Clerks of the Township of Thorold and Crowland or other persons having the legal custody of the Collector's Rolls of the said Townships respectively, for the year of our Lord 1857, shall furnish to the said Returning Officer, on demand made by him for the same, a true copy of such rolls so far as the same relates to voters resident in the said village, and so far as such rolls contain the names of the male freeholders and householders rated upon such rolls in respect of real property lying within such limits, the amount of the assessed value of such real property for which they shall be respectively rated on such rolls, which copies shall be verified on oath or as is now required by law. 25

His oath of office.

VI. The said Returning Officer, before holding the said election, shall take the oath or affirmation now required by law to be taken by Returning Officers for incorporated villages in Upper Canada.

How elections after the first shall be held.

VII. Elections for Councillors for the said Village of Welland, after the year 1859, shall be held in conformity with the provisions of law applying to incorporated villages in Upper Canada; the election for the year 1859 shall be held as is hereinbefore provided for the said first election; copies of the rolls of the said Township for the year 1858 being required to be furnished in the same manner as is provided and required for said first election, and the Returning Officer for the said election for 1859 shall be appointed by the Council of said Village of Welland, at their last meeting in the year 1858, held before the twentieth of December in that year. 30

Oaths of councillors.

VIII. The several persons who shall be elected or appointed under this Act, shall take the same oaths of office and of qualification as now prescribed by law. 40

Number of councillors, their powers, &c.

IX. The number of Councillors to be elected under this Act shall be five, and they shall be organized as a Council in the same manner as villages incorporated under the Upper Canada Municipal Acts, and have, use, and exercise the same privileges as in the said incorporated villages. 45

Village to pay its proportion of any debts

X. From and after the passing of this Act, the said Village of Welland shall cease to form part of the said Townships of Thorold and Crowland,

and shall to all intents and purposes form a separate and independent Municipality, with all the privileges and rights of an incorporated village in Upper Canada; but nothing herein contained shall affect or be construed to affect any taxes imposed for the payment of any debts contracted by the Townships of Thorold and Crowland, or either of them, but the Treasurer of the Village of Welland shall be liable to pay to the Treasurer of the Township of Thorold or the Treasurer of the Township of Crowland, as the case may be, in each and every year, until any such existing debt be fully discharged, the same amount which was collected within the said described limits of the said village, heretofore forming part of the said Townships of Thorold and Crowland respectively, towards the payment of such debt for the year 1857, and the same shall be a debt against the said village.

of the Townships of Thorold and Crowland, but to be separated from those Townships.

XI. The officers of the Councils of the said Townships of Thorold and Crowland shall not proceed to collect any rate or assessment imposed by either of said Councils for the present year, within the limits of the said village, but the amount which may be required for the purposes of the said village within the present year, shall be based on the assessment of the Assessor or Assessors of the said Townships for the present year, and shall be collected by the officer or officers to be appointed by the said village Council for that purpose; Provided always, that such portion of the amount assessed for County purposes as would have been levied upon the respective portions of the Townships of Thorold and Crowland of which said village is composed, for the present year, if said village had not been so incorporated and set apart, shall be collected by the proper officer of the said village, and be by the Treasurer thereof paid over to the Treasurers respectively of the said Townships of Thorold and Crowland; And it is further provided, that nothing herein contained shall affect or be construed to affect the school section or sections in which the said village is now situate for the present year.

As to taxes for the present year.

Proviso as to taxes for 1858, for County purposes.

Proviso: as to schools.

XII. The Clerks of the Townships of Thorold and Crowland aforesaid, shall and they are hereby required to furnish to the Clerk to be appointed by the Council of the said village, on demand made by him therefor, a true copy of the Assessment Rolls of said Townships for the present year, as far as the same shall contain the rateable property assessed within the said village, and the names of the owners or occupiers thereof.

Clerk of the Village to be furnished with copies of parts of the Townships' assessment Rolls.

XIII. All Acts and provisions of Acts inconsistent with this Act, so far as the same may affect the said Village of Welland, shall be and the same are hereby repealed.

Inconsistent enactments repealed.

XIV. This Act shall be deemed a public Act.

Public Act.