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No. 87.

2nd Session, 5th Parliament, 19 Victoria, 1856.

BILL.

An Act to confirm and establish the survey of the Township of Delaware, made by Samuel Peters, Esquire, Deputy Provincial Land Surveyor.

Received and read, first time, Monday, 10th March, 1856.

Second reading, Monday, 17th March, 1856.

MR. SCATCHERD.

TORONTO:
PRINTED BY JOHN LOVELL,
YONGE STREET.

An Act to confirm and establish the survey of the Township of Delaware, made by Samuel Peters, Esquire, Deputy Provincial Land Surveyor.

WHEREAS the original posts marking the boundaries of Lots in the Township of Delaware, in the County of Middlesex had, with few exceptions, decayed and could not be found when the said Township began to be settled; And whereas Roswell Mount, Esquire, a Deputy Provincial Surveyor, now deceased, was generally employed by the first settlers to ascertain and mark out their respective boundaries; And whereas the said Roswell Mount, from having found that the Lots in some of the older grants in the said Township were described as having a front of twenty-nine chains, eighty links, laid out the Lots surveyed by him of the said width, and subsequent Surveyors have in laying out Lots, treated the posts planted by the said Roswell Mount as the original posts of the Townships, so that the actual settlement and occupation of the Lots in the said Township have been made upon the survey of the said Mount; And whereas all the side line roads hitherto opened have been opened, worked upon, and in some instances gravelled, according to the said survey; And whereas William McMillen, a Deputy Provincial Land Surveyor, in the year 1853, in tracing the First Concession line of the said Township, discovered that although some of the Lots had been described in the Letters Patent as having a width of twenty-nine chains, thirty links, yet that the Lots in the said Township had been originally laid out of the width of thirty chains, and that the side lines had been originally laid out between other Lots than those laid out by the said Roswell Mount, and by others on his survey; And whereas at a general meeting of the inhabitants of the said Township, called by the Reeve thereof, for the purpose of considering the best mode of quieting the titles to and establishing the boundaries of the Lots in the said Township, nearly all of which had been rendered uncertain by the said discovery of William McMillen, it was determined that the Legislature should be prayed to adopt that course which should establish the side line roads as at present established and used, as the original side line roads, and should confirm the right of inhabitants to the lands which they now occupy, or with as little change as possible; And whereas in accordance with the determination of the said general meeting, the Municipality of the said Township employed one Samuel Peters, Esquire, a Deputy Provincial Land Surveyor, to survey the said Township and to make a plan thereof, shewing how the said Township had been actually settled, the width of the different Lots, as settled, and the position of the said side line roads as worked upon and used; And whereas the said Samuel Peters, Esquire, has completed the said survey, and deposited a plan thereof with the Commissioner of Crown Lands; And whereas the Municipality of the

Preamble.

said Township and a large number of its inhabitants, have presented Petitions, praying that the said survey of the said Township may be established and confirmed; Therefore Her Majesty, &c., enacts as follows :

Survey and Plan of Peters confirmed.

I. The said survey and plan and division of the respective Lots in the said Township of Delaware, made and deposited as aforesaid by the said Samuel Peters, shall be taken for, and held as the original and true survey, plan and division of the said Township; and the posts planted by him shall be the established and true boundaries of the several Lots in the said Township. 5

Present side line roads confirmed.

II. The side line roads now opened and travelled, and the other side line roads as marked upon the said plan and survey, shall be taken, and are hereby established and confirmed as the original and true side line roads in the said Township. 10

Boundaries in broken fronts.

III. The boundaries of the Lots on the First Concession line, as hereby established, shall govern, and their prolongations shall be the boundaries of the broken fronts in the said Township. 15

Copy of the Peters's Plan to be deposited with the County Registrar.

IV. A certified copy of the said plan deposited in the office of the Commissioner of Crown Lands, with the side lines of the broken fronts extended to the River Thames, shall be furnished to the Registrar of the County of Middlesex, and shall be referred to and used by him as the true plan of the said Township of Delaware. 20

Expenses of Survey to be levied by special rate.

V. It shall be lawful for the Council of the said Township of Delaware, to levy by a special rate upon the real property in the said Township, the expenses of the said survey and plan of the said Samuel Peters, Esquire.

Public Act.

VI. This Act shall be deemed a public Act. 25