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No. 201.

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

(LOCAL BILL)

B I L L .

An Act to incorporate the Town of Clifton.

**Received and read, first time, Monday, 14th
April, 1856.**

Second reading, Thursday, 17th April, 1856.

Hon. J. C. MORRISON.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate the Town of Clifton.

WHEREAS from the rapidly increasing population of the Village of Elgin in the County of Welland, one of the United Counties of Lincoln and Welland, and from the peculiar position thereof as the Eastern Terminus of the Great Western Railway, it is necessary to confer upon said Village the power of Municipal Government; And whereas it is also desirable to change the name of the said Village and incorporate it as a Town, under the name of the Town of Clifton: Therefore Her Majesty, &c., enacts as follows:

I. From and after the passing of this Act the Inhabitants of the said Town of Clifton shall be a body corporate apart from the Township of Stamford, in which such Town is situated, and as such shall have perpetual succession and a common seal, with such powers as are now by law conferred upon Incorporated Towns in Upper Canada, and the powers of such corporation shall be exercised by, through, and in the name of the Municipality of the Town of Clifton.

II. The said Town of Clifton shall be comprised within the following limits or boundaries; that is to say: commencing at the centre of the Niagara River, at a point where the north side line of Lot No. 75 of the Township of Stamford would strike, if produced;—Thence west, along the said north side line of Lot No. 75 to the north east angle of Lot No. 76;—Thence south, along the east side of Lot No. 76 to the south east corner thereof;—Thence west, along the south side of the said Lot to the north east angle of Lot No. 90;—Thence south, along the east side of Lots Nos. 90, 95, 108 and 113 to the south east angle of the said Lot No. 113;—Thence east, between Lots Nos. 127 and 112 to a point where the west line of a property subdivided by the late Ogdon Creighton, Esq., would strike, if produced;—thence south, along the said property line through Lot No. 127 and part of Lot No. 129, to the northerly side of Magdalene Street;—Thence south, 45° east, along the northerly side of Magdalene Street and crossing Clifton Street to the land of the Erie and Ontario Railroad;—Thence southerly, along the westerly side of the said Railroad Company's land along Clifton Street and through the lands of the "City of the Falls" Company to the division line between blocks Nos. 9 and 10 of the said Company's land;—Thence east, crossing the Railroad land and between the said blocks Nos. 9 and 10 to the centre of the Niagara River;—Thence down the centre of the said river northerly, the several courses thereof, to the place of beginning.

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 Town of Clifton, which Returning Officer shall appoint the time and place for holding

the first election of five Councillors for the said Town, of which appointment he shall give notice by posting the same at least ten days before the election in three or more public places in the said Town.

Duties of R. O.
Qualification
of voters, &c.

IV. The duties of the 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 the annual elections in the incorporated Towns of Upper Canada. 5

Collector of
Stamford to
furnish copy
of proper parts
of his Roll.

V. The Collector of the Township of Stamford aforesaid, or other person having the legal custody of the Collector's Roll, for the year in which this Act is passed, shall furnish the said Returning Officer a true copy of the said Roll so far as the same relates to voters resident within the limits of the said Town, and so far as such Roll contains the names of all male freeholders and householders rated upon such Roll in respect of real property lying within such limits, with the amount of the assessed value of such real property, for which they shall be respectively rated on such Roll, which copy shall be verified upon oath or in such manner as is now required by law. 10 15

Oath of Re-
turning
Officer.

VI. The said Returning Officer before holding the said election shall take the same oath or affirmation as is now required by law for Returning Officers in any Town in Upper Canada. 20

Subsequent
Elections.

VII. Subsequent elections for Councillors of the said Town of Clifton shall be held in conformity with the statutory provisions in respect of the several incorporated Towns of Upper Canada.

Oaths of office,
&c.

VIII. The several persons who shall be elected or appointed under this Act shall take the same oaths of office and of qualification as are now required by law. 25

Powers, &c.,
as in other
Towns.

IX. The said Councillors to be elected under this Act for the said Town, shall be organized in the same manner and in the same way as in any other incorporated Town in Upper Canada, and have, use and exercise the same powers and privileges as any other incorporated Town in Upper Canada. 30

Remainder of
Stamford to be
a Township.
Proviso.

X. From and after the passing of this Act the said Town shall cease to form a part of the said Township of Stamford, and shall, to all intents and purposes whatsoever, form a separate and independent Municipality, with all the privileges and rights of an incorporated Town in Upper Canada; but nothing herein contained shall affect or be construed to affect any taxes now imposed by law within the limits of the said Town or the collection thereof for the current year. 35

Governor may
divide Town
into Wards.

XI. Whenever it may appear desirable to the Governor in Council, it shall and may be lawful for the Governor of this Province, by an order in Council, to issue a proclamation, under the Great Seal of this Province, dividing the said Town into Wards, setting forth the boundaries of the same, and to make divisions of the said Town into Wards in such way or manner as may be deemed advisable, any law to the contrary thereof in any wise notwithstanding. 40

Inconsistent
enactments re-
pealed.

XII. All Acts and parts of Acts, and provisions of law or of the Parliament of this Province, and all Acts, By-laws, rules and regulations of any 45

Township meeting, County Council, Counties Council or Township Council in Upper Canada, in force in Upper Canada, immediately before the time when this Act shall come into force, in so far as the same may be inconsistent with or contradictory to the provisions of this Act, shall be and they are hereby repealed, and shall cease to be in force from and after the day when this Act shall come into force.

XIII. This Act shall be deemed a public Act.

Public Act.