

No. 194.

3rd Session, 5th Parliament, 20 Victoria, 1857.

(LOCAL BILL.)

BILL.

An Act to incorporate the Village of Elora
County of Wellington.

Received and read, first time, Wednesday, 1st
April, 1857.

Second reading, Thursday, 2nd April, 1857.

MR. CLARKE.

TORONTO:

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An Act to incorporate the Village of Elora in the County of Wellington.

WHEREAS the inhabitants of the Village of Elora, in the County of Wellington, have by their Petition represented, that from the rapid increase of the population of the said Village it has become necessary to confer upon it corporate powers, and have prayed that it may be incorporated accordingly, and it is desirable to grant the prayer of the said Petition; Therefore Her Majesty, &c., enacts as follows:

Preamble.

I. From and after the passing of this Act, the inhabitants of the said Village of Elora shall be a body corporate apart from the Township of Pilkington 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, through and in the name of the Municipality of the Village of Elora.

Elora incorporated as a Village.

II. The said Village shall comprise and consist of the following lots and parcels of land, that is to say: "All that part of this Province situate within the County of Wellington and lying within the following limits, that is to say: Commencing at the point of intersection of the northerly limit of the allowance for road between the broken front and first concession on the southerly side of the Grand River in the Township of Nichol, with the easterly limit of the allowance for road between the said township and the Township of Pilkington, (formerly Township of Woolwich); thence along the easterly limit of the allowance for road last mentioned, north-westerly, to the southerly angle of lot number eighteen, in the eleventh concession of the said Township of Nichol; thence along the south-easterly boundary line of the said lot and of lot number eighteen, in the twelfth concession, north-easterly, to the intersection of the boundary line between lots numbers four and five in the broken front, on the northerly side of the Grand River, produced north-westerly; thence south-easterly, along the said boundary line produced to the northerly margin of the Grand River; thence, along the said margin against the stream, to the intersection of the boundary line between lots numbers four and five in the broken front on the southerly side of the Grand River produced; thence across the said river and along the boundary line last mentioned, south-easterly to the northerly limit of the allowance for road between the said broken front and the first concession; thence along the said northerly limit, south-westerly to the place of beginning."

Boundaries of the Village.

III. 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 Elora, which Returning Officer shall appoint the time and place for holding the

Governor to appoint a Returning Officer.

first Election in the said Village, of which appointment the said Returning Officer shall give notice in a newspaper published in said Village, or if there be no newspaper published there, then by notices posted in at least three conspicuous places in the said Village, ten days before the said Election.

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Duties of Returning Officer: qualification of Electors.

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

Copy of Collector's Roll to be furnished to Returning Officer.

V. The Collector or Township Clerk of the Township of Pilkington, or other person having the legal custody of the Collector's Roll of that Township for the year of our Lord one thousand eight hundred and fifty-six, shall furnish to the Returning Officer, on demand by him for the same, a true copy of such Roll so far as the same relates to voters resident in the said Village, and, so far as such Roll contains the names of the male freeholders and householders rated upon such Roll 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 Roll, which copy shall be verified on oath or as is now required by law.

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Returning Officer to be sworn.

III. 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.

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Succeeding Elections to be as in other Villages.

VII. Elections for Councillors for the said Village of Elora, after the year one thousand eight hundred and fifty-seven, shall be held in conformity with the provisions of law applying to Incorporated Villages in Upper Canada.

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Councillors to take the oath of office.

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

Number and powers of Councillors.

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 in Villages incorporated under the provisions of the Upper Canada Municipal Acts, and have, use, and exercise the same powers and privileges as in the said Incorporated Villages.

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Village separated from Township.

X. From and after the passing of this Act, the said Village shall cease to form part of the said Township of Pilkington, 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 Township of Pilkington aforesaid, but the said Village of Elora shall be liable to pay to the Treasurer of the Township of Pilkington aforesaid, 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 towards the payment of such debt for the year 1856, and the same shall be a debt against the said Village,

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Provide as to existing debts.

Election of Township Councillor, in

XI. Any Councillor elected to serve in the Township Council of the said Township of Pilkington, for the present year, and residing within the

above prescribed limits of the said Village, shall immediately on the appointment of a Returning Officer provided for by this Act, cease to be such Councillor, and the duly qualified electors of the Township of Pilkington aforesaid, not included in the said limits, shall thereupon proceed to elect
 5 a new Councillor or Councillors, as the case may be, to serve in the Council of the said Township for the remainder of the year, as in the case of death or resignation provided for by the Municipal laws of Upper Canada.

the place of any such residing in the said Village.

XII. The Officers of the said Council of the Township of Pilkington, shall not proceed to collect any rate or assessment imposed by the said
 10 Council 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 Township assessor or assessors for the present year, and shall be collected by the Officer or Officers to be appointed by the said Village Council for that purpose.

Township officers not to collect Taxes in the Village during 1857; how the Village taxes for this year shall be raised.

XIII. The Clerk of the said Township shall, and is 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 Roll for the present year, so far as the same shall contain the rateable property assessed
 15 within the said Village, and the names of the owners or occupiers thereof.
 20 of.

Copy of part of Township Assessment Roll to be furnished to the Village Clerk.

XIV. The expenses of any assessment imposed for the present year, so far as the same shall relate to assessments made within the limits of the said Village, and the expenses of furnishing any documents, or copies of papers or writings, by the Clerk or other Officer of the Council of the said
 25 Township hereinbefore referred to, or required to be furnished, shall be borne and paid by the said Village Council to the said Township Council, or otherwise as the said Township Council shall require.

As to expense of papers, &c., required under this Act.

XV. Any of the moneys of the said Township which shall have been expended within the limits of the said Village for the benefit thereof, since
 30 the first day of January last, shall be accounted for and repaid to the Council of the said Township, by the said Village Council.

As to Township monies expended in 1857 in the Village.

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

Inconsistent enactments repealed.

35 XVII. This Act shall be deemed a public Act.

Public Act.