

No. 169.

4th Session, 8th Parliament, 29th Viot., 1865

BILL.

An Act to amend the Act intituled, an Act to incorporate the Village of Mitchell, in the County of Perth.

[*Private Bill.*]

Received and read, first time, Thursday, 24th August, 1865.

Second reading, Friday, 25th August, 1865.

Mr. MACFARLANE.

QUEBEC:

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An Act to amend the Act incorporating the Village of Mitchell,
in the County of Perth.

WHEREAS the Corporation of the Village of Mitchell, in the County of Perth, incorporated by the Act passed in the twentieth year of Her Majesty's reign, chapter one hundred and eight, have by their petition prayed that the said Act be amended, by reducing the limits of the said village in the manner hereinafter mentioned, and it is expedient to grant their prayer; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

Preamble.

1. From and after the last day of December, in the present year of our Lord one thousand eight hundred and sixty-five, lots numbers eleven, twelve and twenty, in the first concession of the Township of Logan, and lots numbers eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty, in the second concession of the said township, shall cease to form part of the municipality of the said Village of Mitchell, and shall be re-annexed to and form part of the municipality of the said Township of Logan; and the lots numbers twenty-one, twenty-two and thirty, in the first concession of the Township of Fullarton, and lots numbers twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty, in the second concession of the said Township, shall cease to form part of the municipality of the said Village of Mitchell, and shall be re-annexed to, and form part of, the municipality of the said Township of Fullarton, any thing in the second section of the Act cited in the preamble to this Act to the contrary notwithstanding.

Certain lots detached from Village of Mitchell and re-attached to Township of Logan.

Certain lots detached from Village of Mitchell and re-attached to Township of Fullarton.

2. And whereas the said corporation have further represented, that previously to the incorporation of the said village, a debt was incurred by the said Township of Logan, and that, by a deed of settlement between the corporation of the said village and that of the said township, bearing date the fifteenth day of December, one thousand eight hundred and fifty-seven, the corporation of the said village assumed the payment of five hundred dollars a year to the corporation of the said township, for nineteen years, as the share of the corporation of the said village in the said debt; and that the share so assumed was based upon the fact that two thousand acres of the lands of the said township had become included in the said village; whereas, after the limits of the latter are altered in the manner mentioned in the preceding section, only seven hundred acres of the said lands will be within the village, and they have therefore prayed that the share of the said village in the said debt may be reduced accordingly, which prayer it is right to grant; therefore: At any time after the passing of this Act, the corporation of the said village, and the corporation of the said Township of Logan, may each, by resolution, appoint

Recital.

Corporation of Village and Township to appoint arbitrators.

Award an arbitrator, for the purposes hereinafter mentioned, and if either of them appoint such arbitrator, and the other does not within five days after notice of such appointment, appoint its arbitrator, the Judge of the County Court for the County of Perth shall appoint such arbitrator, on the application of the other corporation, and the two arbitrators, appointed as aforesaid, shall appoint a third, or, if they cannot agree on such appointment, the said Judge, on the application of either, after five days' notice to the other, shall appoint such third arbitrator, and the said arbitrators shall determine the share of the said debt to be assumed by the said corporation of the Village of Mitchell, and the mode and terms of payment of such share; and the award of the said arbitrators, or of any two of them, shall be final and conclusive, and shall bind the said corporation, and the said deed of settlement shall cease to have effect from and after a day to be named in such award, which shall be notified to each of the said corporations by the arbitrators concurring therein.

Public Act **3** This Act shall be deemed a Public Act.