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2nd Session, 6th Parliament, 22 Victoria, 1859.

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(LOCAL BILL.)

**BILL.**

An Act to divide the Townships of Vespra and Sunnidale into separate Municipalities, and to legalize the late election of Municipal Officers for the Township of Sunnidale.

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Received and read, first time, Monday, 28th February, 1859.

Second reading, Wednesday, 2nd March, 1859.

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MR. MORRISON.

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TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

**An Act to confirm the separation of the Townships of Vespra and Sunnidale into distinct Municipalities, and to legalize the late election of Municipal Officers for the Township of Sunnidale.**

**W**HEREAS it appears by the petition of divers inhabitants of the Township of Sunnidale in the County of Simcoe, the junior Township of the late United Townships of Vespra and Sunnidale,—that in the year 1858, the inhabitants of Sunnidale, that Township having then the requisite number of inhabitants on the Assessment Roll to authorize its separation from Vespra, petitioned the County Council to pass a By-law for such separation;—that the County Council assented to the petition and passed a By-law authorizing such separation, to take place on the 1st of January, 1860, the earliest period at which, as the law then stood, it could be effected;—that in the same year the Council of the said United Townships made a petition to the Legislature, praying that such separation might take place in January, 1859, but that the petition arrived at the Seat of Government too late for action to be taken on it in 1858;—that on the 7th of October, 1858, the County Council passed another By-law amending their former By-law for the separation of the said Townships, and appointing Returning Officers for the first election in each of the said Townships;—that on the 1st of December, 1858, the *Act respecting the Municipal Institutions in Upper Canada* came into force, under which no By-law authorizing the separation of United Townships is required, but whenever the junior Township has more than one hundred resident Freeholders and Householders on its Assessment Roll, the separation may take place, provided the County Council do, by a By-law passed three months before the first day of January on which the separation is to take place, fix the place for holding the first election, and the Returning Officer;—That inasmuch as there were on the assessment roll for Sunnidale more than one hundred and twenty freeholders and householders as aforesaid, and the first By-law authorizing the separation was passed much more than three months before the first of January, 1859, the Municipal Electors of the said Township, believing themselves thereunto duly authorized by law, did on the day appointed by law for holding Municipal Elections in 1859, at the place and before the Returning Officer appointed by By-law of the County Council as aforesaid, and in the manner by law required, elect John Ross, Alexander Gillespie, Donald Shaw, Duncan Mathewson, and Neil Harkins, (all of the said Township and duly qualified) Councillors for the said Township, and the said Councillors afterwards, in the manner and at the time appointed by law, elected the said John Ross to be their Reeve;—That at the first meeting of the County Council, the said John Ross having attended as Reeve of Sunnidale,

Preamble.

doubts arose as to the validity of the said election of Councillors and Reeve for Sunnidale, and of its separation from Vespra, and the County Council, after deliberation, refused to admit the said John Ross as a member thereof;—And whereas the said Petitioners have prayed that in consideration of the circumstances aforesaid, the separation of Sunnidale from Vespra and the said election may be confirmed, and it is expedient to grant their prayer; Therefore Her Majesty, &c. enacts as follows: 5

Separation of Vespra and Sunnidale, and election in the latter declared valid.

I. The separation of the said Township of Sunnidale from the said Township of Vespra is hereby confirmed and declared valid, and shall be held to have been legally effected on the first day of January, 1859; 10 and the said election of the said John Ross, Alexander Gillespie, Donald Shaw, Duncan Mathewson, and Neil Harkins as Councillors, and of the said John Ross as Reeve, are declared valid, and shall be held to have been valid from the time when they were respectively held and made; and the said Act respecting the Municipal Institutions of Upper Canada 15 shall apply to the said Township of Vespra and Sunnidale as if they had been separated under its provisions.

How this Act shall apply in certain cases.

II. This Act shall apply to any suit or proceeding pending at its passing, except as to the costs of the proceedings then had, which shall be taxed as if it had not been passed; and except also that no person shall 20 be liable to any suit or proceeding for any act done before its passing, and which would have been legal and right if it had not been passed.

Public Act.

III. This Act shall be deemed a public Act.