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No. 260.

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4th Session, 3d Parliament, 14 & 15 Victoria, 1851.

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## BILL.

An Act to authorize the County of Welland Municipal Council to purchase certain lands in the said County, known as the Great Cranberry Marsh, and for other purposes.

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Received and read a first time, Wednesday, 23rd July, 1851.

Second reading, Thursday, 24th July, 1851.

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Mr. McFARLAND.

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TORONTO: PRINTED BY LOVELL AND GIBSON.

**BILL.**

An Act to authorize the County of Welland Municipal Council to purchase certain lands in the said County, known as the Great Cranberry Marsh, and for other purposes.

**W**HEREAS the Municipal Councils of several Preamble. Municipalities in the County of Welland have prayed by their Petitions to the Legislature in that behalf, that the Provisional or other Municipal Council of the  
5 County of Welland may be authorized to purchase a certain tract of land, known as the Great Cranberry Marsh, lying principally in the Townships of Wainfleet and Humberstone, for the purpose of draining and improving the same, and disposing thereof for the benefit of the  
10 said County, and it is expedient to authorize the said County Council to purchase the said Marsh, and to grant them such further powers as may be most conducive to the advantage of the said County: Be it therefore enacted, &c.,

15 That the Commissioners or Building Committee, now appointed by the Provisional Municipal Council of the said County of Welland, that is to say: John Fraser, Robert Hobson, John Radcliffe, David P. Brown and John Graybiel, Esquires, shall have full power and  
20 authority for and in the name of the said County, and for the benefit thereof, to purchase or otherwise acquire from the Government of this Province, all or any part of the said tract of land, lying principally within the Townships of Wainfleet and Humberstone, and known as the Great  
25 Cranberry Marsh, and to drain and improve the same in such manner and under such regulations as the said County Council shall see fit to determine.

Certain persons authorized to buy the marsh for the County and to drain it.

II. And whereas several Petitions of the said Municipalities have also been presented to the Legislature, praying that the said County of Welland may be immediately  
30 set apart as an independent County, and it is expedient to grant the prayer of the said Petitioners, be it enacted, that from and after the passing of this Act, the said County of Welland shall be disunited from and be independent of the County of Lincoln for all purposes whatsoever, except as hereinafter provided, and shall consist of the Townships of Pelham, Thorold, Stamford, Crowland, Willoughby, Wainfleet, Humberstone and Bertie,  
35 That

County of Welland to become immediately a separate County.

To have a  
Registry  
Office.

and that a Registrar shall be appointed, and a Registry Office shall be kept in and for the same at the County Town, in the same manner as in other Counties in Upper Canada.

Present  
Building Com-  
mittee to re-  
main in office:

III. And be it enacted, That the Commissioners or Building Committee above named, shall remain such Commissioners or Building Committee until the Court House and Gaol for the said County are finished 5

Exception.

except that in the case of the decease or resignation of any one or more of them, the Municipal Council may 10

May purchase  
other pro-  
perty.

the said Commissioners or Committee, or any majority of them, shall have full power and authority, in addition to the power above granted to them for the purchase of the Great Cranberry Marsh, above mentioned, to purchase or 15 otherwise acquire from the Government of this Province, or from any other party, such land as may be required for the benefit of and for the said Court House and Gaol;

May sell any  
part of the  
property  
which shall  
not be re-  
quired.

and if any land so purchased or acquired, including the said Great Cranberry Marsh, shall be 20 afterwards found not to be wanted for such purpose, they or any majority of them shall have full power and authority, for and on behalf of the said Committee, to sell and convey the same, and to give good and sufficient titles to the purchasers, and for such purpose the Deed of the 25 said Commissioners or Building Committee or Chairman thereof or of any majority of them, on behalf of the said County, shall be held to be the Deed of the Corporation of the County.

Welland to  
remain united  
to Lincoln  
until its Gaol  
is finished.

IV. Provided always, and be it enacted, That the said 30 County of Welland shall remain united to the County of Lincoln for judicial purposes, until the said Gaol and Court House shall have been erected.

Welland dis-  
charged from  
a certain debt.

V. And be it enacted, That the said County of Welland be and is discharged from the time it shall be disunited 35 from the County of Lincoln, from all liability for any debts contracted for or with respect to the Queenston and Grimsby Macadamized Road, and the whole of such liability shall be borne by the said County of Lincoln.

Application of  
monies raised  
by the Pro-  
visional Coun-  
cil.

VI. And be it enacted, That all moneys raised under and 40 by virtue of any By-laws which may be now or hereafter passed by the Provisional Municipal Council of the said County of Welland, (and which By-laws are hereby declared to be valid to all intents and purposes,) shall be applied first to defray the expenses of building the Court 45 House and Gaol and of purchasing the requisite ground therefor, and the overplus, if any, to the general purposes of the said County when disunited from the said County of Lincoln.

1617

VII. And be it enacted, That so soon as may be, after the passing of this Act, a survey shall be made of the River Chippeway, by any officer or engineer to be appointed by the Board of Works for that purpose, with a view to

5 ascertain whether the navigation thereof will not be affected by lowering the water of the said River for the purpose of draining the lands bordering on the said River, and in the event of his making a report in favour of the said improvement, the said Provisional Municipal Council

10 of the said County of Welland shall also have power to make By-laws for the purpose of lowering by not more than three feet the quantity of water in the said River, and to levy, by assessment upon the owners of lands benefited thereby, the sums necessary to cover the ex-

15 pense of the said undertaking.

Water of the  
R. Chippeway  
to be lowered  
if not injurious  
to the naviga-  
tion.