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8rd Session, 6th Parliament, 23 Victoria, 1860.

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BILL.

An Act to confirm certain side roads in the Township of Vaughan, as the same have been opened out, improved and travelled ; and to provide for the manner in which the remaining side road allowances and other boundary lines of lots in the said Township shall hereafter be defined.

LOCAL BILL.

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Received and read, 1st time, Monday, 2nd April, 1860.

Second reading, Wednesday, 11th April, 1860.

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MR. W. P. HOWLAND.

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QUEBEC :

PRINTED BY THOMPSON & CO., ST. URSULE STREET.

An Act to confirm certain side Roads in the Township of Vaughan, and to provide for the defining of other road allowances and lines in the said Township.

WHEREAS the Municipal Council of the Township of Vaughan have, by their petition represented "That the greater number of the side road allowances between Lots in the said Township have been opened up and travelled, and statute labor and public monies expended thereon for many years back,—that it has been discovered, upon recent and more correct surveys being made in the several Concessions, that few, if any, of the said side roads, as laid out formerly as aforesaid, and improved and travelled, are upon the true original allowances—that to alter the said lines of Road now, and place the same upon the proper allowances, would present, serious objections both in consequence of the actual loss of labor and monies expended upon the same, and also in consequence of the peculiar difficulties and uncertainties attendant upon the litigation of the question of highways and road allowances; that it is most desirable, therefore, that the side roads where opened up and improved as aforesaid, should be confirmed and established for all future time upon the present lines,"—and it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of Canada, enacts as follows:

I. The several side roads in the said Township as laid out and improved and travelled upon lines formerly drawn for the respective allowances for road, and as the same shall be hereafter defined on the ground under the provisions of this Act, shall be, and the same are hereby declared to be the true and unalterable Government allowances for Road, one chain in width, between the several Lots, without regard to their direction as being parallel or not, to the base of the Concession, any law or usage to the contrary notwithstanding.

Present side roads confirmed.

II. It shall be the duty of the said Municipal Council of the said Township of Vaughan, within twelve months from and after the passing of this Act, to cause such a survey of the said Township to be made by a Provincial Land Surveyor, as will result in the defining on the ground of the precise lines of the said side roads, as the same have been opened up and now exist as aforesaid, and to define the same by permanent cut stone boundaries, properly marked and planted at the front and rear angles of each Concession, and to deposit copies of the map and report of the said survey, respectively, in the office of the Honorable the Commissioner of Crown Lands, and in the Registry office for the County of York, and it shall be lawful for the said Municipal Council to impose and levy a rate upon the inhabitants of the said Township, to defray the expenses of the said survey, and maps, and reports thereof, and the planting of the said monuments.

Council of Vaughan to cause a survey to be made.

And to levy a rate to pay the expenses.

III. From and after the said Survey being effected, and the Maps and Reports thereof being deposited as aforesaid, whenever any land Surveyor shall be required to run any line for side road allowance, which

How surveys shall thereafter be made.

may not have been opened previous to the passing of this Act—or any division line or limit between lots in the said Township—such line for road allowance or division line or limit between lots, shall be surveyed in manner following, that is to say:—It shall be drawn from the post or monument planted in the original Survey, at the front angle of such road allowance, or to mark the commencement of such line or limit; or should such original post or monument be lost, and no satisfactory evidence exist of the position of the same, the surveyor shall proceed to measure the true distance between the two nearest original or undisputed boundaries; (all monuments previously planted, to mark the fronts of the said road allowances under this Act, being deemed and taken to be undisputed boundaries,) and distance so found shall be divided into such number of lots as the same contained in the original Survey, having due respect to any side road allowances; the proper angle at the rear shall then be determined by giving the lots in that particular block between the monuments planted in the Survey provided in the second section of this Act to mark the side roads on either side thereof, the same width in proportion as they respectively possess on the front, as found in the manner above pointed out, and the required line of side road allowance or division line or limit shall be drawn through the Concession from point to point so found; and all lines for side road allowance or division lines or limits so determined shall be taken to be, and the same are hereby declared to be the true lines and limits thereof, any law or usage to the contrary in any wise notwithstanding.

Surveys of aliquot parts of lots.

IV. The boundaries or limits of any aliquot portion of a lot in any Concession of the said Township, shall be determined by giving such portion the proportionate length and width of the whole lot, as the latter shall have been ascertained in the manner pointed out in this Act.

Act not to affect certain surveys.

V. No proceedings under this Act shall be valid as against any Survey made and boundaries planted under the authority of the late boundary Commissioners—or against any Municipal Survey performed and boundaries planted under the provisions of the Cap. 77 of the Consolidated Statutes for Upper Canada.

Lots as defined under this Act to be deemed the original lots.

VI. The several lots in the said Township respectively granted by Letters Patent, and described by numbers or otherwise, as certain lots in certain concessions, and heretofore intended to be bounded by lines drawn in accordance with the law respecting Surveys in Upper Canada, and the boundary lines of which are intended to be fixed by this Act, it is hereby declared shall be held to be the same several lots in the same several concessions, and shall be respectively represented by all the land contained between the limits thereof, as the same shall be correctly defined by this Act, whether the courses or distances of the said limits as described in the Letters Patent granting the same, shall or shall not agree with the respective courses and distances of such limits as defined under this Act upon the ground.

Public Act

This Act shall be deemed a public Act.