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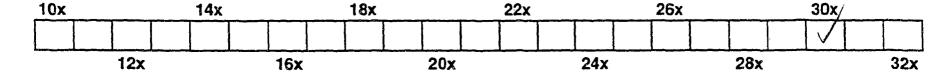
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2D SESSION, 3D PARLIAMENT, 12 VICTORIA, 1849.

#### BILL.

An Act to repeal the Acts in force in Upper Canada, relative to the establishment of Local and Municipal authorities, the Regulation of Highways, the Assessment and Collection of local Taxes, and other matters of a like nature.

Received and read first time,

Second reading,

[ 250 Copies. ]

Honble. Mr.

S. Derbishire and G. Desbarats, Queen's Printer.

### MUNICIPAL CORPORATIONS,

#### ASSESSMENT HIGHWAY AND

#### REPEAL BILL.

#### UPPER CANADA.

#### BILL.

An Act to repeal the Acts in force in Upper Canada, relative to the establishment of Local and Municipal authorities, the Regulation of Highways, the Assessment and Collection of local Taxes, and other matters of a like nature.

THEREAS it is expedient to repeal Preamble. the several Acts in force in Upper Canada, relating to the incorporation of 4 the inhabitants of the several Districts of that part of this Province, and of certain 6 other localities therein, the Election and duties of Township Officers, the regulation 8 of Highways and other public communications, the Assessment and Collection of 10 Local Taxes and other matters of a like nature, to the end that better provision may 12 be made for such purposes: Be it therefore enacted by the Queen's Most Excellent 14 Majesty, by and with the advice and consent of the Legislative Council and of the 16 Legislative Assembly of the Province of Canada, constituted and assembled by virtue 18 of and under the authority of an Act passed in the Parliament of the United Kingdom 20 of Great Britain and Ireland, and intituled, An Act to re-unite the Provinces of Upper 22 and Lower Canada, and for the Government of Canada, and it is hereby enacted 24 by the authority of the same, That the se- The Acts and veral Acts of the Parliament of the late mentioned in

26 Province of Upper Canada, and those of the Schedule

to this Act, repealed with Acts continuing them or continued by them.

Proviso: Acts not to be revived or repealed, &c. by the passing of this Act, by implication.

Proviso: proceedings relative to offences and other matters occurring before this Act shall be in force, under the Acts repealed, may be had notwithstanding such repeal.

Exception.

the Parliament of this Province set forth in the Schedule to this Act annexed marked 2 A, and containing a description of the Acts and parts of Acts repealed by this Act, so 4 far as the same shall be in force at the commencement of this Act, and all Acts 6 continuing or making permanent any of the said Acts, or continued or made permanent- 8 ly by any of them, shall be, and the same are hereby repealed; Provided always, ne- 10 vertheless, Firstly: That no Act or part of an Act repealed by any of the Acts hereby 12 repealed, shall be revived by the passing of this Act, and no Act, or part of an Act, 14 perpetuated or continued by any of the Acts hereby repealed, (except such as are 16 herein expressly repealed) shall be repealed by the passing of this Act. provided always, Secondly: That notwithstanding the repeal of the Acts and parts 20 of Acts hereby repealed, all acts which might have been done and all proceedings 22 which might have been taken or prosecuted relating to any offences or neglects which 24 may have been committed, or to any matters which shall have happened, or to any mo-26 nies which shall have become due, or to any fines or penalties which shall have been 28 incurred before the day on which this Act. shall come into operation, shall and may still 30 be done or prosecuted, and the offences and .... omissions may be dealt with, and punished, 32 and the monies may be recovered and dealt with, and the fines and penalties may be 34 imposed and applied as if the Acts, and parts of Acts, hereby repealed, continued:36 in force, except only so far as the new Municipal Corporations to be created by and 38 under the provisions of the Act of the present Session of Parliament to provide for 40 the incorporation of Townships, Counties, Villages, Towns and Cities in Upper Ca-42 nada, shall or may be substituted for the old ones. 44

II. And in order that no doubt shall remain whether any or what part of any former Acts 46 relating to the incorporation of the inhabitants

of the several Districts of that part of this 2 Province, and of the other localities therein, the Election and duties of Township Offi-4 cers, the regulation of Highways and other public communications, and the Assessment 6 and Collection of Local Taxes in Upper Canada, continue in force: Be it enacted, 8 That all Acts and parts of Acts relating to parts of Acts the same, shall be, and the same are hereby cortain sub-10 repealed, so far as such Acts or parts of those saved in Acts shall be in force at the commencement Schedule B-12 of this Act, save and except such Acts or ther exception. parts of Acts as are mentioned in the Sche-14 dule to this Act annexed, marked B, and save and except all other Acts made ex-16 pressly for other purposes, although they incidentally touch on matters relating to 18 such subjects, or although the provisions thereof are to be carried into effect by Offi-20 cers elected or appointed under such Acts or parts of Acts, nevertheless such matters 22 and provisions last mentioned, so far as they are repugnant to, or inconsistent with 24 the Act or Acts relating to such matters in force at the time, shall be, in all respects, 26 controlled by such last mentioned Act or Acts, unless the contrary shall have been 28 expressed in such last mentioned Act or Acts.

repealed. Fur-

III. And be it enacted, That this Act commenceshall commence and have force and effect ment of this 32 upon from and after the first day of January, in the year of our Lord, one thousand eight 34 hundred and fifty, and not before.

IV. And be it enacted, That this Act Act may be 36 may be amended, altered or repealed by amended, &c. any Act to be passed in this present Ses-38 sion of Parliament.

this Session.

## Schedules to which this Act refers.

# SCHEDULE A,

# CONTAINING A DESCRIPTION OF THE ACTS AND PARTS OF ACTS REPEALED BY THIS ACT.

FIRST DIVISION.—Acts of the Parliament of the late Province of Upper Canada.

No.	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF REPEAL.
1	27 Geo. 3, Cap. 10, Ferries	An Act for the regulation of Ferries	So much as vests any powers in the Magistrates in Quarter Sessions.
2	43 Gev. 3, Cap, 10, Cattle running at large	An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, inti- tuled, "An Act to restrain the custom of permit- "ting Horned Cattle, Horses, Sheep and Swine to	
3	43 Geo. 3. Cap. 11, Assessment for Members' Indomnity	"run at large."  An Act the more conveniently to collect the compensation to the Members of the Mouse of Assembly for their attendance in their duty in Parliament, and to repeal part of an Act passed in the Parliament of this Province, in the thirty-third year of His Majesty's Reign, intituled, "An Act to authorize and direct the laying and collecting of Assessments and Rates within this Province, and to provide for the payment of wages to the House of	The whole.
4	48 Geo. 3, Cap. 12, Essex and Kent Sta- tute labour	" Assembly."	The whole. (So much thereof as
5	50 Geo. 3, Cap. 1, Highways	An Act to provide for the laying out, amending and keeping in repair, the Public Highways and Roads in this Province, and to repeal the Laws now in	the Magistrates in Quarter Sessions.  ( Sections one to eleven
6	50 Geo. 3, Cap. 12, Haldimand Town Meetings	An Act to authorize the Inhabitants of the County of Haldimand, to hold annual meetings for the purpose of electing Town and Parish Officers	
	52 Geo. 3, Cap. 10, Highways	An Act to amend an Act passed in the fiftieth year of His Majesty's Reign, intituled, "An Act to pro- "vide for laying out, amending and keeping in  "repair the Public Highways and Roads in this  "Province, and to repeal the Laws now in force  for that purpose."	
8	54 Geo. 3, Cap. 15, York Market	An Act to empower the Commissioners of the Peace for the Home District, in their Court of General Quarter Sessions assembled, to establish and regu- late a Market in and for the Town of York, in the	
5	57 Geo. 3, Cap. 2, York, Amberstburgh and Sandwich	An Act to establish a Police in the Towns of York,	The whole.
1		Sandwich and Amherstburgh  An Act to establish a Market in the Town of Niagara, in the Niagara District	
	59 Geo. 3, Sess. 2, Cap. 5, Ningara	An Act for establishing a Police in the Town of Niagara, in the District of Niagara, and for other purposes therein mentioned.	
	59 Geo. 3, Sess. 2, Cap. 7, Assesments	An Act to repeal the several Laws now in force re- lative to levying and collecting Rates and Assess- ments in this Province, and further to provide for the more equal and general assessment of lands and other rateable property throughout this Province	

# FIRST DIVISION.—Continued.

No.	DATE AND SUBJECT	TITLE.	EXTENT OF REPLA
13	59 Geo.3, Sess.2, Cap. 8, Highways	An Act to repeal part of and amond the Laws now in force for laying out, amending and keeping in repair, the Public Highways and Roads in this Province.	The whole.
14	59 Geo.3, Sess.2, Cap. 11, Niagara Market	An Act to amend and repeal part of an Act passed in the fifty-seventh year of His Majesty's Reign, inti- tuled, "An Act to establish a Market in the Town "of Niagara, in the Niagara District."	•
15	2 Geo. 4, Sess. 2, Cap. 11, Cattle running at large	An Act to repeal in part a certain part of an Act passed in the forty-third year of His late Majesty's Reign, intituled, "An Act to extend the provisions of an "Act passed in the thirty-fourth year of His "Majesty's Reign, intituled, 'An Act to restrain "the custom of permitting Horned Cattle, Horses, "Sheep and Swine, to run at large," and further to enable the Magistrates in their respective Districts in this Province, in General Quarter Sessions assembled, to make such rules and regulations as may restrain Swine running at large in the respective Towns in this Province, where a Police is or may hereafter be established by Law	
16	2 Geo. 4, Sess. 2, Cap. 13, Police monies		
17	2 Geo. 4, Sess. 2, Cap. 15, Perth Market	An Act to establish a Market in the Town of Perth, in the County of Carleton	
18	4 Geo. 4, Sess. 1, Cap. 34, Niagara Police, &c	An Act to continue and amend an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled, "An Act for establishing a Police in the "Town of Niagara, in the District of Niagara, and "for other purposes therein mentioned."	
19	4 Geo.4, Sess. 12, Cap. 9, Highways	An Act to amend and make perpetual an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled, "An Act to repeal part of and amend the "Laws now in force for laying out, amending and "keeping in repair the Public Highways and Roads "in this Province;" and also to amend an Act passed in the fiftieth year of His late Majesty's Reign, intituled, "An Act to provide for the laying out, "amending, and keeping in repair the Public "Highways and Roads in this Province, and to "repeal the Laws now in force for that purpose.".	
	4 Geo. 4, Sess. 2, Cap.10, Highways	An Act to repeal part of and amend an Act passed in the fiftieth year of His late Majesty's Reign, intituled, "An Act to provide for the laying out, amend-"ing and keeping in repair the Public Highways and Roads in this Province, and to repeal the "Laws now in force for that purpose," and also to repeal part of and amend the provisions of an Act passed in the fifty-ninth year of His late Majesty's Reign, intituled, "An Act to repeal part of and amend the Laws now in force for laying "out, amending and keeping in repair, the Public "Highways and Roads in this Province."  An Act to amend and make permanent a certain Act of the Parliament of this Province, passed in the	The whole.
		fifty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act to re- "peal the several Laws now in force relative to "levying and collecting Rates and Assessments in "this Province, and further to provide for the "more equal and general Assessment of lands and "other rateable property throughout this Province," and to render more effectual the several Laws o this Province, imposing Rates and Assessments' by providing, under certain restrictions, for the levying such Rates and Assessments, by the sale of a portion of the lands on which the same are charged	·

# FIRST DIVISION .- Continued.

No	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF REPEAL.
2.2	8 Geo. 4, Cap. 14, Sucet Surveyors	An Act to amend the Laws now in force for the appointment of Street Surveyors, so far as relates to the several Towns in this Province, other than those in which the General Quarter Sessions of the Peace are by law holden.	
53	9 Geo. 4, Cap. 3, Assesments	An Act to amend the Assessment Laws of this Pro-	The whole.
24	1 William 4, Cap. 3. Amherstburgh Wharfage fees	An Act to establish a Market and to establish Wharf- age Fees in the Town of Amherstburgh, in the Western District.	The whole.
25	2 William 4, Cap. 17, Prockville	An Act to establish a Police in the Town of Brock- ville, in the District of Johnstown	The whole.
26	3 William 4, Cap. 16, Hamilton	An Act to define the limits of the Town of Hamilton, in the District of Gore, and to establish a Police and Public Market therein	
27	3 William 4, Cap. 40, Brockville Market	An Act to establish a Market in the Town of Brock- ville	The whole.
25	4 William 4, Cap. 12, Line Fences, &c	An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third, intituled, "An Act to pro-" vide for the nomination and appointment of Parish "and Town Officers within this Province," as relates to the Office of Fence Viewers, being dis-	
	4 William 4, Cap. 23, Toronto	An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto	
30	4 William 4, Cap. 24, Belleville	An Act to establish a Board of Police in the Town of Belleville	The whole.
31	4 William 4, Cap. 25, Cornwall	An Act to establish a Police in the Town of Cornwall, in the Eastern District	The whole.
- 1	4 William 4, Cap. 26, Port Hope	An Act to define the limits of the Town of Port Hope and to establish a Police therein	The whole.
33	4 William 4, Cap. 27, Prescott	An Act to incorporate the Village of Prescott, and to establish an Elective Police therein	i
31	5 William 4, Cap. 6, Assessment for Mem- bers' Indemnity	An Act to provide for the payment of wages to the	·
35	6 William 4, Cap. 1, Assessment, Members' Indemnity	An Act to provide for the payment of wages to Mem-	The whole.
36	6_William 4, Cap. 13,	bers representing Cities and Incorporated Towns within the Province	The whole.
	Erockville Market  6 William 4, Cap. 14,	An Act to establish a Market in the west ward of the Town of Brockville.	The whole.
	Belleville	An Act to repeal an Act passed in the fourth year of His present Majesty's Reign, intituled, "An Act "to establish a Board of Police in the Town of "Belleville," and to make further provisions for the establishment of a Police in said Town	
<b>4</b> 3	7 William 4. Cap. 19, Assessments	An Act to amend the Laws now in force regulating the Sale of Lands for arrear of Taxes, and for other purposes therein mentioned	The whole. So much of the first Section as vests any
39	7 William 4, Cap. 24, House of Industry	An Act to authorize the erection, and provide for the maintenance of Houses of Industry in the severa Districts of this Province	powersgrantedthere- by, in the Grand Ju- ries or the Magis-

# FIRST DIVISION .- Continued.

No.	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF REPUL
40	7 William 4, Cap. 39, Toronto	An Act to alter and amend an Act passed in the fourth year of His Majesty's Reign, intituled, "An "Act to extend the limits of the Town of York, to "erect the said Town into a City, and to incorporate	
41	7 William 4, Cap. 41, Toronto Markets	"it under the name of the City of Toronto."  An Act to establish two additional Markets in the	,
42	7 William 4, Cap. 42, Cobourg	An Act to establish a Police in the Town of Cobourg.	The whole.
43	7 William 4, Cap. 44, Picton.	An Act to incorporate the Villages of Hallowell and	
44	1 Vict. Cap. 17, Assessment, Mem-	Picton, by the name of the Town of Picton, and establish a Police therein	The whole.
	beis macining	Members of the House of Assembly	The whole.
45	1 Vict. Cap. 21, Township Officers	An Act to alter and amend sundry Acts regulating the appointment and duties of Township Officers	Sections one to thiny- one inclusive, and thirty-six to fifty-
46	1 Vict. Cap. 27, Kingston	An Act to incorporate the Town of Kingston, under the name of the "The Mayor and Common Coun-	one inclusive.
47	2 Vict. Cap. 36, Kingston	An Act to render valid the late Elections for Alder-	Sections two, three
48	2 Vict. Cap. 37, Kingston	men and Councilmen for the Town of Kingston  An Act to amend an Act passed in the first year of Her Majesty's Reign, intituled, "An Act to incor- "porate the Town of Kingston, under the name of "the Mayor and Common Council of the Town of "Kingston".	
49	2 Vict. Cap. 45, Hamilton Market	An Act to establish a Second Market in the Town of Hamilton, to enable the Corporation of the said Town to effect a loan, and for other purposes therein mentioned.	
50	2 Vict. Cap. 46, Niagara Market	An Act to authorize the Trustees of the Market Reserve in the Town of Niagara, to raise a sum of money for certain purposes therein mentioned	
51	3 Vict. Cap. 31, London	An Act to define the limits of the Town of London, in the District of London, and to establish a Board	signs,
52	3 Vict. Cap. 47, Toronto	An Act to continue an Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled, "An Act to alter and amend "an Act passed in the fourth year of His Majesty's "Reign. intituled, 'An Act to extend the limits of "the Town of York, to erect the said Town into a "City, and to incorporate it under the name of the "City of Toronto".	

# SECOND DIVISION .- Acts of the Parliament of the Province of Canada.

53	4 & 5 Vict. Cap. 10, Municipalities	An Act to provide for the better internal Government of that part of this Province which formerly consti- tuted the Province of Upper Canada, by the estab-	]
54	County and Township	lishment of local or municipal authorities therein	The whole, except Sections one, two, ton, eleven, threshor

# SECOND DIVISION.—Continued.

No.	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF REPEAL.
	8 Vict. Cap. 22.	An Act to repeal an Act therein mentioned, and to provide for the regulation of Line Fences and Water Courses in Upper Canada	So much of the first Section as vests the appointment of Fence Viewers in the Inhabitant Freeholders and Householders at their annual meetings.
57	8 Vict. Cap. 61,	An Act to provide more effectually for the collection of certain arrears of Taxes on lands in the District of Wellington, and other Districts, and better to define the limits of the said District of Wellington  An Act to repeal a certain provision of the Act incor-	Section third.
<b>5</b> S	8 Vict. Cap. 62, Niagara	porating the Town of Kingston, and to provide for the Assessment and collection of the District Taxes in the said Town, by an Assessor and Collector to be appointed by the District Council	The whole.
	]	An Act to incorporate the Town of Saint Catherines	The whole.
	9 Vict. Cap. 46,	••	The whole.
62	County and District Divisions	An Act to amend the Act for defining the limits of Counties and Districts in Upper Canada	The whole.
63	9 Vict. Cap. 70.	Towns of Niagara and Queenston	The whole.
64	9 Vict. Cap. 71, Cobourg.	An Act to alter and amend the Act of Incorporation of the Town of Cobourg	The whole.
	<u> </u>	An Act to amend the Act of Incorporation of the Town of Cornwall, and to establish a Town Coun-	
	9 Vict. Cap. 73, Hamilton	An Act to alter and amend the Act incorporating the Town of Hamilton, and to erect the same into a City	
	9 Vict. Cap. 75, Kingston	An Act to incorporate the Town of Kingston as a City	The whole.
60		An Act to divide the Western District of the Province of Canada, and for other purposes therein mentioned	
	10 & 11 Vict. Cap. 41, Lock-up Houses 10 & 11 Vict. Cap. 42,	An Act to establish Lock up Houses in the unincorporated Towns and Villages of Canada West	Sections one, two and
	Towns and Villages	An Act to confer limited Corporate Powers on the Towns and Villages of Canada West, not specially incorporated	The whole.
	10 & 11 Vict. Cap. 43, Bytown	An Act to define the limits of the Town of Bytown, to establish a Town Council therein, and for other purposes	1
	Brockville	An Act to provide for an Assessment of real and personal property in the Town of Brockville, according to the annual value or rental thereof, and for other purposes.	·
	10 & 11 Vict. Cap. 45, Dundas	An Act to incorporate the Town of Dundas	:
74	10 & 11 Vict. Cap. 46, Kingston	An Act to amend the tenth Section of the Act to in- corporate the Town of Kingston as a City	

## SECOND DIVISION .- Continued.

No.	DATE AND SUBJECT	TITLE.	EXTENT OF	Repeal.
75	10 & 11 Vict. Cap. 47, Prescott	An Act to provide for an Assessment of real and per- sonal property in the Town of Prescott, according to the annual value or rental thereof, and for other		
76	10 & 11 Vict. Cap. 48, London	An Act to repeal the Act of Incorporation of the Town of London, and to establish a Town Council therein, in lieu of a Board of Police, and for other	The whole.	
77	10 & 11 Viet. Cap. 49, Brantford	purposes therein mentioned	The whole.	
<b>7</b> S	11 Viet, Cap. 12,	An Act to amend the Act to incorporate the Town of Dundas		

## SCHEDULE B

Containing a description of the Acts and parts of Acts saved from the operation of this Act.

FIRST DIVISION .-- Acts of the Parliament of the late Province of Upper Canada.

No.	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF SAVING.
. 1	37 Geo. 3, Cap. 10, Ferries	An Act for the regulation of Ferries	So much as relates to the duties of persons attending or having charge of Ferries, the penaties to be incured by them and the infliction and recovery thereof.
		An Act for the better regulating the Statute labour in the Counties of Essex and Kent in the Western District	conferred thereby in the Magistrates in
3	\$0 Geo. 3, Cap. 1, Highways	An Act to provide for the laying out, amending and keeping in repair the public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose	Quarter Sessions.  Sections twelve and thirty-five.
738		An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, intituled "An Act to provide for the nomination and appointment of Parish and "Town Officers within this Province," as relates to the office of Fence Viewers being discharged by Overseers of Highways and Roads	The second and all the subsequent Sections of the Act.
5	4 Willm, 4, Cap. 23, Toronto	An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto	The provise to the ninety-sixth Section, and the whole of the ninety-seventh Section.
6	7 Willm. 4, Cap. 24, Houses of Industry	An Act to authorize the erection, and provide for the maintenance of Houses of Industry in the several Districts of this Province	So much of the first Section as relates to the powers and du- ties of Inspectors, and also Sections three, four, five and six.
7	1 Vict. Cap. 21, . Township Officers	An Act to alter and amend Sundry Acts regulating the appointment and duties of Townships Officers	Sections thirty two, thirty-three, thirty-free four and thirty-five.

## FIRST DIVISION.—Continued.

No	DATE AND SUBJECT OF ACT.	TITLE.	EXTENT OF SAVING.
8	2 Vict. Cap. 36, Kingston	An Act to render valid the late elections for Aldermen and Councilmen for the Town of Kingston	
j.	2 Vict. Cap. 46, Nagara Market	An Act to authorize the Trustees of the Market Reserve in the Town of Niagara to raise a sum of money for certain purposes therein mentioned	advantages to cer- tain Lessces and Tenants, or their
10	3 Vict. Cap. 47, Toronto	An Act to continue an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act to alter and amend an "Act passed in the fourth year of His Majesty's "Reign, intituled An Act to extend the limits of "the Town of York, to ereet the said Town into "a City, and to incorporate it under the name of "the City of Toronto."	

# Second Division.—Acts of the Parliament of the Province of Canada.

	1	<b>1</b>	
11	8 Vic. Cap. 7, Division of Counties,	An Act for better defining the limits of the Counties and Districts in Upper Canada, for erecting certain new Townships, for detaching Townships from some Counties and attaching them to others, and for other purposes relative to the division of Upper Canada into Townships, Counties and Districts	Sections one, two, ten eleven, thirteen and fifteen, together with
	S Viet. Cap. 20, Line Fences  S Viet. Cap. 22,	An Act to repeal an Act therein mentioned and to provide for the regulation of Line Fences and Water Courses in Upper Canada	
	Assessment Welling- ton District	An Act to provide more effectually for the collection of certain arrears of Taxes on Lands in the District of Wellington, and other Districts, and better to define the limits of the said District of Wellington	
		An Act to divide the Western District of the Pro- vince of Canada, and for other purposes therein mentioned	( Sections three, four,
15	10 & 11 Vict. Cap. 41, Lock-up Houses	An Act to establish Lock-up Houses in the unincorporated Towns and Villages in Canada West	