

No. 150.

2nd Session, 5th Parliament, 19 Victoria, 1856.

(LOCAL BILL.)

BILL.

An Act to authorize a Survey of Broken
Front Concession of the Township of Dar-
lington and for other purposes.

Received and read, first time, Thursday, 3rd
April, 1856.

Second reading, Monday, 7th April, 1856.

MR. SIDNEY SMITH.

TORONTO:

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An Act to authorize a survey of Broken Front Concession
of the Township of Darlington and for other purposes.

WHEREAS certain Inhabitants, Resident Freeholders, Owners of the Preamble.
Lots in the Broken Front Concession of the Township of Darlington,
have petitioned the Legislature to pass an Act authorizing a Provincial
Land Surveyor to be appointed under it, to make a survey of the Broken
5 Front Concession of the Township of Darlington giving to all Lots an equal
width, and fixing stone monuments at the front and rear of each Lot, mak-
ing such survey final and conclusive, and authorizing the Municipal Council
of the Township of Darlington to assess the expenses of such survey rateably
upon the owners of such land, and repealing all or any Acts of Parlia-
10 ments which may interfere with the operation of the said Act, so far as they
relate to the Broken Front of Darlington; And whereas it is expedient
to grant the said petition; Therefore Her Majesty, &c., enacts as follows:

I. The Municipal Council of the Township of Darlington shall have
power at any time after the passing of this Act, to pass a By-law authorising
15 such competent licensed Surveyor as they may appoint by such By-law to
make a survey of the Broken Front Concession of the Township of Dar-
lington, giving to all lots an equal width and fixing stone monuments at the
front and rear of each Lot; and the limits of each Lot so ascertained and
marked shall be taken to be and are hereby declared to be the true limits
20 thereof, any law, usage, statute of limitations or otherwise to the contrary
notwithstanding.

Municipal Council of Darlington may authorise a Surveyor to make the said survey.

II. If any Action of Ejectment shall be brought against any person or
persons who after the said lines shall be established by virtue of this Act shall
be found to have improved on land of which such survey would deprive
25 him, it shall and may be lawful for the Judge of Assize before whom such
Action is tried, to direct the Jury to assess such damages for the Defendant
or Defendants for any loss he or she or they may sustain in consequence of
any improvement made before the passing of this Act, and also to assess the
value of the land to be recovered; and if a verdict shall be found for the
30 Plaintiff or plaintiffs no writ of possession shall issue until such Plaintiff or
Plaintiffs have tendered or paid the amount of such damages as aforesaid,
or shall have offered to release the said land to the Defendant, provided
the said Defendant shall pay or tender to the Plaintiff the value of the
land so assessed, before the fourth day of the ensuing term, and the De-
35 fendant shall have failed so to pay or tender the same.

Provision in case of ejectment under this Act, from improved lands.

III. This Act shall be deemed a public Act.

Public Act.