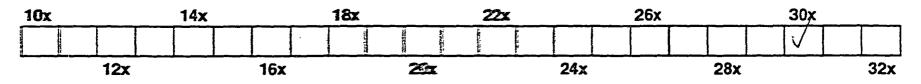
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4th Session, 6th Parliament, 24 Victoria, 1861

BILL.

An Act to provide for the separation of the City of Toronto from the United Counties of York and Peel for judicial purposes.

[PRIVATE BILL.]

Received and read, first time, Tuesday, 9th April, 1861.

Second reading, Thursday, 10th April, 1861.

MR. WRIGHT.

QUEBEC : PRINTED BY THOMPSON, HUNTER & CO., ST. URSULE STREET. No. 113.7

1861.7

An Act to provide for the separation of the City of Toronto from the United Counties of York and Peel, for judicial purposes.

WHEREAS it is expedient to provide for the separation, for judicial Preamble. purposes, of the City of Toronto from the United Counties of York and Peel; Therefore, Her Majesty, &c., enacts as follows :

I. The Governor may, if he shall deem it expedient so to do, upon Separation 5 the petition of the Municipal Council of the said City, or of the Muni- may be effectcipal Council of the said United Counties, issue a Proclamation under ed by Proclathe great seal of the Province, authorising and directing that from and after a day to be named in such Proclamation, the union between the said City and the said United Counties, for judicial purposes, shall cease, 10 and the same shall cease accordingly.

II. The Court House, Gaol, House of Correction, Shire-Hall, and Court House, other County Buildings belonging to the said United Counties, shall, ac to contin-ue to be the notwithstanding they may be within the limits of the said City, continue property of to be the property of and to be used by the said United Counties, and the United

15 they shall be held to be within the County for all purposes for the ad- Counties. ministration of justice; and the County Council may continue, so long as they see fit, to hold their sittings within the said city.

III. After the time fixed by the Proclamation for such separation, such County build-Court House, Gaol, House of Correction, and other County Buildings, ings not tobe 20 shall not be subject to be used as the Court House, Gaol, House of Cor-rection, or other public buildings of and for the said City of Toronto, except under except under an arrangement made between the Municipal Councils of agreement. such City and United Counties.

IV. All agreements in existence at the date of such Proclamation, Agreements 25 where by the public buildings, or any of them, of the said United Coun-tion of Vork and Real shall on may be used for the public user of the use ties of York and Peel, shall or may be used for the public uses of the of public said City, shall continue unaffected by such Proclamation, until they buildings. 'would expire by their own terms, or by the terms of any law under which they have been made, or by the terms of arrangement between the

30 said Municipalities: Provided always, no such agreement shall extend Proviso. or remain in force beyond the time fixed by such Proclamation for the separation of the said City from the said United Counties.

V. The City shall be bound to pay for such use and occupation, such City to pay V. The City shall be bound to pay for such use and occupation, such annual sum yearly sum to the Municipality of the said United Counties as may be for the use of 35 agreed upon by the said Councils.

VI. In case of non-agreement, the sum to be paid shall be awarded Arbitrationia by arbitrators in the manner provided by the 26th and 358th Sections case of nonof chapter 54 of the Consolidated Statutes for Upper Canada respect- agreement.

mation:

such buildings.

ing the Municipal Institutions of Upper Canada; and the amount so agreed upon or awarded may be collected in the same manner as any other debt may be collected by one Municipal Corporation from another.

VII. From and after the date fixed by the said Proclamation for the separation of the City from the United Counties, Courts of Assize and Nisi Prius, General Gaol Delivery and Oyer and Terminer, shall be held in and for the said City, as shall also all other Courts, which by the laws in force in Upper Canada are appointed to be held in Counties, and the said City of Toronto shall be deemed a County for all matters and purposes connected with the administration of justice. 10

VIII. Provided that there shall be the same judicial functionaries and officers connected with the administration of justice in such City, as for the time being are discharging the like offices and duties in the County; but the Governor may, if he see fit appoint distinct judicial officers for the City from those of the United Counties.)

IX. All actions, informations and indictments pending at the time appointed by the Proclamation for disuniting the said City from any of the said United Counties, shall be tried in the City, unless by order by the Court in which the same is pending, in Term time, or of some Judge thereof, in vacation, the Venue shall be changed to the United 20 Counties, which change may be made on the consent of parties or on hearing the parties by affidavit or otherwise.

X. Upon any such change of Venue the records and papers of every such action, information and indictment shall, when necessary, be transmitted to the proper officers for the said County, if and when distinct of- 25 ficers are appointed.

XI. All Judicial Officers acting and appointed both for the City and the United Counties, shall be such officers, and shall be styled as officers of "The County of the City of Toronto," or of "The United Counties of York and Peel," as the case may be, according to the locality to which 30 the business may pertain.

City to be dermed a County 38 regards the administration of justice.

Judicial functionaries in City and County.

Pending proceedings.

Change of Venuc.

Transmission of record on change of venue.

Style of Officers for City and County. 5

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