

No. 292.

2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

An Act to render void the Proclamation declaring Walkerton the County Town of the County of Bruce, and to divide the said County into two separate Counties.

PRIVATE BILL.

Received and read first time, Monday,
27th April, 1863.

Second reading, Wednesday, 29th April,
1863.

Mr. DICKSON.

QUEBEC :

PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE STREET.

An Act to render void the Proclamation declaring Walkerton the County Town of the County of Bruce, and to divide the said County into two separate Counties.

WHEREAS, under the authority of the Act twenty-second Victoria, Preamble. chapter one hundred and eleven, intituled "An Act to provide 22 V., c. 111. for the selection of a County Town for the County of Bruce," the Governor in Council issued a Proclamation dated the eighth day of 5 November, 1860, appointing Walkerton to be the County Town of the County of Bruce, one of the united Counties of Huron and Bruce; And whereas the selection of Walkerton has not been found satisfactory to the people of the said County, and consequently no progress has been made in the erection of County buildings; and whereas the 10 Provisional Council of the said County of Bruce have presented a petition to Parliament praying for a Act to make void the proclamation making Walkerton the County Town of the said County, and to divide the said County into two Counties, naming the County Towns thereof; and whereas there is reason for believing that the provisions 15 hereinafter contained would be for the advantage of the said County of Bruce, 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 Assembly of Canada, enacts as follows:

1. The said proclamation of the eighth day of November, 1860, is 20 hereby avoided. Proclamation avoided.

2. The present County of Bruce is divided into two Counties, to be 20 named respectively Bruce and Wallace. County divided.

3. As between the said two Counties, Bruce, shall be the senior 30 County and Wallace the junior County. Senior County.

4. As between the said Counties and the County of Huron, Huron 25 shall, as hitherto, be the senior County, and the said two Counties of Bruce and Wallace shall together be the junior County within the meaning of the Act respecting the municipal institutions of Upper Canada; and the present United Counties of Huron and Bruce, until 30 the union is dissolved, may either continue to be designated the United Counties of Huron and Bruce, or may be designated as the United Counties of Huron, Bruce and Wallace. As to Union of Huron and Bruce.

5. The County of Bruce shall consist of the Townships of Kincardine, Huron, Kinloss, Culross, Carrick, Brant, and all that part of the 35 Township of Greenock south of the line between the seventeenth and eighteenth concessions in the said Township and the Village of Kincardine. New County of Bruce.

6. The County of Wallace shall consist of the Village of Southampton and the Townships of Bruce, Arran, Saugeen, Amabel, Albe- 40 marle, Eastnor, St. Edmund and Elderslie, and all that part of the County of Wallace.

Township of Greenock north of the line between the seventeenth and eighteenth concessions of the said Township, which part, if this Act goes into effect, shall thenceforth form part of the said Township of Elderslie for all purposes.

- Provisional Corporation.** 7. The inhabitants of the said Counties of Bruce and Wallace shall constitute a body corporate under the name of the Provisional Corporation of the United Counties of Bruce and Wallace. 5
- Provisional Council.** 8. The Reeves and Deputy Reeves of the said Counties of Bruce and Wallace shall be a Provisional Council for the said United Counties of Bruce and Wallace. 10
- County Town of Wallace.** 9. The Village of Kincardine shall be the County Town of the United Counties of Bruce and Wallace until the one is separated from the other, and shall then be the County Town of the County of Bruce. 10
10. The Village of Southampton shall be the County Town of the County of Wallace when separated from the County of Bruce. 15
- Act subject to approval of Electors.** 11. This Act shall not go into effect unless approved of by the municipal electors of the said County of Bruce.
- How such approval must be given.** 12. The assent of the municipal electors shall be ascertained by the following proceeding:—
1. The votes of the said municipal electors thereon shall be taken on the fourth and fifth days of August next at the place in each local municipality in the said County of Bruce as now constituted, where the last election was held for returning a Member to represent the Saugeen Division in the Legislative Council, and the clerk of each Township and Village Council in the several municipalities of the said County shall be the Returning Officers for the purposes of this Act. 25
- Returning Officer, &c.** 13. In case any Returning Officer does not attend, the electors present may choose a Returning Officer, and for this purpose and all other purposes connected with ascertaining the desire of the electors under this Act, the proceedings shall be conducted in the same manner as nearly as may be as at municipal elections. 30
- Poll-Books.** 14. Every Returning Officer shall, on the day after the closing of the poll, return his poll-book, verified upon oath, to the clerk of the Provisional Council of the said County of Bruce, and the said clerk shall immediately publish a statement showing the number of votes polled for and against the adoption of this Act. 35
- Effect of approval, &c.** 15. In case the majority of those who vote approve of the division, this Act shall take effect immediately thereafter, otherwise the same shall be of no effect.
- Complaints of irregularity; how tried.** 16. Any complaint of irregularity or insufficiency of the proceedings had under this Act shall be tried by a Judge of either of the Superior Courts of common law, for Upper Canada, and the proceedings for the purpose shall be as near as may be those set forth in the one hundred and twenty-eighth section of the municipal Act. 40
- New vote if irregularity fatal.** 17. In case there is found to be any fatal irregularity in the proceedings, the Judge may order the votes to be taken anew at such time as he shall appoint, which vote shall be taken in the same manner and subject to all the enactments hereinbefore contained in reference to the first vote. 45

18. A copy of this Act shall be published in every newspaper in the Publication County of Bruce at least four times after the passing of this Act and of Act. before the days appointed for taking the said vote.

19. In case the division is approved of by a majority of the muni-
 5 cival electors who vote under this Act, the Provisional Council hereby
 constituted shall forthwith proceed to purchase the necessary property
 and take the steps required for erecting the proper County buildings,
 and shall forthwith pass the necessary By-laws for these purposes; and
 a certain sum of six thousand pounds, provided by By-law of the Pro-
 10 visional Council of the County of Bruce for the erection of County
 buildings before the selection of Walkerton as aforesaid, shall be ap-
 plied for or towards the erection of the County buildings at the Vil-
 lage of Kincardine as aforesaid.

20. This Act shall be deemed a public Act.

Public Act