

1979

c 118 The Village of Cookstown Act, 1979

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CHAPTER 118

**An Act respecting the
Village of Cookstown***Assented to May 18th, 1979*

WHEREAS The Corporation of the Village of Cookstown, Preamble
herein called the Corporation, hereby represents that by Indenture of Trust dated the 16th day of November, 1867, and registered in the Land Registry Office for the Registry Division of Simcoe (No. 51) as Number 48427 on the 6th day of March, 1868, Christopher Cooke of the Township of Tecumseth, in the County of Simcoe, granted to James G. Strong and Joseph C. Kidd of the same place and William Ross of the Township of West Gwillimbury, in the said County, as trustees, the land described in Schedule 1 hereto upon the trusts contained in the Indenture of Trust; that a true copy of the relevant portion of the Indenture of Trust is set out as Schedule 2 hereto; that there are no subsequent registrations affecting the said land; that by resolution of the trustees of the Police Village of Cookstown passed on the 4th day of June, 1904 it was resolved that "the Temperance Hall be received by the Trustees of the Village of Cookstown and to be known in the future as Town Hall and the Trustees pay to W. J. Findlay the sum of Ten Dollars (\$10.00) for the unexpired term of insurance as settlement in full for hall"; that Corporation records indicate that from that date, the trustees of the Police Village of Cookstown, and following the erection of the Corporation as a Village, the council of the Corporation have administered the "Town Hall" as the property of the ratepayers of the Village of Cookstown without objection or interference by any person; that the trustees of the Police Village and the council of the Corporation have maintained, renovated and repaired the "Town Hall" at municipal expense; that there is no chartered Lodge of the Good Templars or of the Sons of Temperance in the Village of Cookstown and the Corporation has no record of such a lodge since the 4th day of June, 1904; that the Corporation now proposes to make extensive repairs and renovations to the "Town Hall" and to make application for government grants and subsidies to help defray the

expenses to be incurred; that for such purposes it is necessary that the Corporation hold the said land in fee simple free from any trusts or conditions; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Land vested
in Village of
Cookstown

1. The land described in Schedule 1 hereto is hereby vested in the Corporation in fee simple free from all rights, trusts, interests and limitations except the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown.

Registration
of Act

2. The Corporation shall register a copy of this Act, within sixty days after it comes into force, in the Land Registry Office for the Registry Division of Simcoe (No. 51).

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is *The Village of Cookstown Act, 1979*.

SCHEDULE 1

All and singular that certain parcel or tract of land and premises situate, lying and being in the Village of Cookstown, in the County of Simcoe and being composed of the West half of Lot 4 on the west side of William Street, south of Hamilton Street, according to Registered Plan No. 99.

Being and intended to be the lands described in a certain Indenture dated the 16th day of November, 1867 and registered on the 6th day of March, 1868, in the Land Registry Office for the Registry Division of Simcoe (No. 51) as Number 48427.

SCHEDULE 2

Upon Trust to hold the said lot [described in Schedule 1 hereto] and Hall (when erected) for the meetings and general uses for the Lodge of Good Templars at present in the said Village of Cookstown and in case the said present Lodge of Good Templars should cease to exist as a Lodge in the said Village of Cookstown, then to hold the same upon the like trusts for any other chartered Lodge of Good Templars which may then be in the said Village and if there should be no chartered Lodge of Good Templars in the said Village then to hold the same for any chartered Lodge of "The Sons of Temperance" then existing in Cookstown. And if no such chartered Lodge either of the Good Templars or of "The Sons of Temperance" be in Cookstown at the breaking up of the present Lodge of Good Templars then the said trustees and their successors shall hold the said lot and Hall as a public Hall for the general purposes of the said Village of Cookstown until such time as some chartered Lodge of The Good Templars or of "The Sons of Temperance" shall be chartered in Cookstown; in which case upon service of notice of the fact on, and upon production of any such Lodge's charter to, the trustees, they shall immediately be and become the trustees of the first of such Lodges so being chartered as aforesaid upon the same trusts as they hold by this deed for the present Lodge. And whenever hereafter there shall be no such chartered Lodge of the Good Templars or of the Sons of Temperance in the said Village of Cookstown then the said trustees and their successors shall hold the said lot and Hall for the public use and purposes of the said Village of Cookstown; but whenever there be a chartered Lodge of either of the said Temperance Bodies in the said Village then the said trustees and their successors shall hold the said Hall and lot for such Lodge upon the like trusts as by this deed they hold the same for the present Lodge of Good Templars.

Secondly upon trust, so far as in them lies, not to bring nor cause nor permit to be brought any spirituous or fermented liquor in or upon the said premises or into the said Hall nor allow any such to be consumed or drank in or upon the same.

Thirdly upon trust to lease and rent the said Hall to any persons applying therefore whether they be strangers or any of the inhabitants of the said Village of Cookstown for any sum the trustees for the time being shall think proper always provided that the object for which the Hall is required does not conflict with temperance principles. But when the Hall is applied for by any of the inhabitants of the said Village for a village purpose, the rent per night shall not exceed the sum of Three Dollars.

Fourthly upon trust to pay over weekly to the Treasurer of the present Lodge of Good Templars while it exists in Cookstown aforesaid or in the event of its breaking up then to the Treasurer of any other chartered Lodge of Good Templars or of the Sons of Temperance in the said Village of Cookstown all the proceeds received on account of the said Hall of whatever description which shall be over and above the expenses connected with the same; and in the event of there being at any time no temperance Lodge as before mentioned in the said Village, then to pay the said proceeds less the expenses to "The Cookstown Literary Society" in aid of their library; and should there be no Cookstown Literary Society then such proceeds shall be invested in a Public Library to be kept in the said Village.

