



1927

## c 4 Haliburton Act

Ontario

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## CHAPTER 4.

## The Haliburton Act.

## PROVISIONAL COUNTY COUNCIL.

**1.** Except where herein otherwise provided the Provisional County of Haliburton and the corporation and council thereof shall have and possess respectively all the rights, powers, liabilities and incidents of a county, county corporation and county council; and, except where inconsistent with this Act, the law and the statutes applicable to counties, county corporations and county councils, and the members of such councils, shall apply. R.S.O. 1914, c. 4, s. 2.

Rights, liabilities and powers of the provisional county corporation and council.

**2.** No by-law for granting aid to any railway company, shall be valid unless, within three months from the passing thereof, it is approved by the Lieutenant-Governor in Council. R.S.O. 1914, c. 4, s. 3.

By-laws in aid of railways.

**3.** The meetings of the council shall be held at the place within the county where the registry office is kept. R.S.O. 1914, c. 4, s. 4.

Council, meetings of.

## ADMINISTRATION OF JUSTICE.

**4.** For judicial purposes, including the holding of courts, the officers of such courts, judicial process and proceedings, and the selection of jurors, the Provisional County shall be united to and form part of the County of Victoria. R.S.O. 1914, c. 4, s. 5.

County to form part of Victoria for judicial purposes.

**5.** The justices of the peace appointed for the Provisional County shall be entitled to sit in the General Sessions held for the County of Victoria. R.S.O. 1914, c. 4, s. 6.

Justices of the peace.

**6.** Where an appeal lies from the decision of a justice or justices of the peace to the General Sessions of the Peace, the appeal in a case arising in the Provisional County shall lie to and may be heard and determined by the Court of General Sessions of the Peace for the County of Victoria. R.S.O. 1914, c. 4, s. 7.

Appeal from decisions of justices of the peace.

**7.** All returns of convictions required by law to be made by a justice of the peace for the Provisional County shall be made to the clerk of the peace for the County of Victoria. R.S.O. 1914, c. 4, s. 8.

Returns of convictions.

Erection of  
gaols.

**8.** The Lieutenant-Governor in Council may from time to time direct that one or more suitable gaols or lock-ups shall be provided by the Minister of Public Works and Highways, in the Provisional County out of any money appropriated for that purpose R.S.O. 1914, c. 4, s. 9.

Gaols in Haliburton to be common gaols of Haliburton and Victoria.

**9.** Every gaol and lock-up erected under the authority of the Lieutenant-Governor in Council, shall be a common gaol of the Provisional County, and of the County of Victoria, for the safe custody of persons charged with the commission, within the Provisional County, of crimes, or with the commission therein of offences against any statute of Ontario, or against any municipal by-law, who may not have been finally committed for trial; and for the safe custody of such persons when finally committed for trial, until removed to the common gaol at Lindsay, and for the confinement of persons sentenced within the Provisional County for such crimes or offences, for periods not exceeding one month; and for the confinement of persons so sentenced for periods exceeding one month, until such persons can be conveniently removed to the common gaol at Lindsay, or other lawful prison to which they are sentenced. R.S.O. 1914, c. 4, s. 10.

Power to  
commit  
to the gaol at  
Lindsay.

**10.** Nothing in the next preceding section shall prevent any court, or justice of the peace from directing the committal to the common gaol at Lindsay, either for safe custody, or for punishment, of any person whom it may be considered expedient to commit thereto. R.S.O. 1914, c. 4, s. 11.

Appointment  
of Gaoler.

**11.**—(1) The sheriff of the County of Victoria shall have authority to appoint the gaoler for the Provisional County, but the appointment and dismissal of such gaoler shall be subject to the approval of the Lieutenant-Governor.

Salary of  
gaoler.

(2) The salary of the gaoler shall be provided by the council of the Provisional County, subject to the proper proportion thereof being repaid, according to the rule governing in other counties. R.S.O. 1914, c. 4, s. 12.

Appointment  
of constables.

**12.** The Judge of the County Court of the County of Victoria shall have authority to appoint such constables as he may deem necessary for the Provisional County. R.S.O. 1914, c. 4, s. 13.

Contribution  
by Haliburton  
to expenses  
of adminis-  
tration of  
justice.

**13.**—(1) The Provisional County shall bear and pay to the Corporation of the County of Victoria its just share or proportion of all charges and expenses from time to time incurred in erecting, building and repairing and maintaining, enlarging or improving the court house and common gaol at Lindsay and of the proper lighting, cleansing and heating thereof, and of providing all necessary and proper accommodation, fuel, light, stationery and furniture for the gaol and courts of justice, other than the division courts

and for the library of the Law Association of the county and of providing proper offices, together with fuel, light, stationery and furniture for officers connected with such courts, where the same are required to be provided by the county council, and all other charges relating to criminal justice, payable by the county in the first instance, except constables' fees and disbursements, and charges connected with coroners' inquests and such other charges as the counties are entitled to be repaid by the Province.

(2) The provisions of *The Municipal Act* with respect to the determination of the compensation to be paid by the corporation of a city or separated town to the corporation of the county in which for judicial purposes the city or town is situate shall apply to the determination of the compensation payable under this section. R.S.O. 1914, c. 4, s. 14. Application Rev. Stat. c. 233.

#### APPEALS IN ASSESSMENT CASES.

**14.**—(1) An appeal shall lie from the decision of the court of revision of any municipality within the Provisional County to the Judge of the County Court of the County of Victoria. To whom appeal lies.

(2) The provisions of *The Assessment Act* with respect to appeals from the Judge of the County Court to The Ontario Railway and Municipal Board shall apply to the Provisional County. R.S.O. 1914, c. 4, s. 15. Application Rev. Stat. c. 238.

#### REGISTRAR.

**15.** The registrar of deeds shall keep his office in a place to be named for that purpose in his commission, or at such other place as may be from time to time appointed by the Lieutenant-Governor in Council. R.S.O. 1914, c. 4, s. 16. Registry office.

#### POWER OF TOWNSHIPS AND VILLAGES TO AID GRIST MILLS.

**16.**—(1) In addition to the powers conferred by *The Municipal Act*, the council of any township or village municipality in the Provisional County may pass by-laws for

- (a) granting aid to or for promoting the establishment of a grist mill in such township or village; Aid to grist mills by taking stock or lending money.
- (b) taking stock in any company incorporated for establishing a grist mill in such township or village; or Rev. Stat. c. 233.
- (c) lending money to any such company.

(2) The aid to be granted, the stock to be taken and the money to be lent under subsection 1 shall not in all exceed one-half of the actual cost of such grist mill or in any case the sum of \$3,000. Limit of aid.

Assent  
of two-thirds  
of ratepayers  
voting.  
Rev. Stat.  
c. 233.

(3) Notwithstanding anything in *The Municipal Act*, the vote in the affirmative of two-thirds of the electors actually voting upon any such by-law shall be necessary and sufficient to the carrying of the same.

Restriction  
upon power  
to grant  
bonus.

(4) No such by-law shall be passed for or in respect of the establishment of a grist mill in a location less than fifteen miles from any grist mill established in the Provisional County and in operation on the 13th day of April, 1897.

Deciding  
disputes as to  
result of vote.

Rev. Stat.  
c. 233.

(5) In case of a dispute as to the result of the vote on any by-law the Judge of the County Court of the County of Victoria shall have the powers conferred by *The Municipal Act* upon the judge of a county court with respect to a scrutiny of the votes of electors upon a by-law.

Proceedings.

(6) The petition to the Judge may be by an elector or by the council; and the proceedings for obtaining the Judge's decision shall be the same as nearly as may be as in the case of a scrutiny.

Representa-  
tion of  
council on  
board of  
directors.

(7) The council of a municipality taking stock in a company under the authority of this section shall, annually, at its first meeting for the year, elect from among its members a representative of such council to the board of directors of the company, and such representative shall be entitled to sit and vote at all meetings of the board and to vote at all meetings of shareholders in respect of the stock held by the municipality which he represents.

Application  
of Rev. Stat.  
c. 233.

(8) Except as herein otherwise provided the provisions of *The Municipal Act* as to money by-laws and the obtaining the assent of the electors thereto shall apply. R.S.O. 1914. c. 4, s. 17.

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