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No. 182.

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

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**BILL.**

**An Act to empower the Corporation of the  
City of Ottawa to pass a By-law to collect  
certain Taxes in arrears and unpaid.**

**(PRIVATE BILL.)**

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Received and read, first time, Thursday,  
11th April, 1861.

Second reading, Monday, 15th April, 1861.

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**Mr. R. W. Scott.**

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**QUEBEC:**  
PRINTED BY THOMSON, HUNTER & CO.,  
STE. URSULE STREET.

An Act to authorize the Corporation of the City of Ottawa to collect certain Taxes in arrear for the year 1859.

**WHEREAS** the Corporation of the City of Ottawa have, by their Preamble.  
petition, represented as follows:—That the Corporation of the  
Town of Bytown, in the year of our Lord, one thousand eight hundred  
and fifty-two, when the rateable property of the said Town of Bytown  
5 amounted to £26,869 8s 0d, issued Debentures and enacted a By-law  
numbered 79, levying certain annual rates for twenty years from the date  
of said By-law, without making any proviso for the increase in the value  
of the rateable property of the said Municipality, and also adopted by  
said By-law, “that a rate of 1s 4½d in the £ shall be levied on all the  
10 rateable property for the year of our Lord, one thousand eight hundred  
and fifty-nine:” That the said Corporation of the Town of Bytown, in  
the year of our Lord, one thousand eight hundred and fifty-three,  
when the rateable property of the Town of Bytown, amounted to  
£29,884 12s 4d, issued Debentures and enacted a By-law numbered 97,  
15 levying certain annual rates for ten years from the date of said By-law,  
in which By-law “the sum of £373 0s 11d would require to be raised  
for the year of our Lord, one thousand eight hundred and fifty-nine,”  
and also states “that a rate of 3d in the £ on all the rateable property  
in the said municipality for the year of our Lord, one thousand eight  
20 hundred and fifty-nine, shall be levied,” without making any proviso for  
the increase in the value of the rateable property of the said municipa-  
lity: That the Corporation of the Town of Bytown, in the year of  
our Lord, one thousand eight hundred and fifty-three, when the rateable  
property of the said Town of Bytown amounted to £29,884 12s 4d,  
25 issued Debentures and enacted a By-law numbered 102, levying certain  
annual rates for fifteen years from the date of said By-law, in which  
By-law “the sum of £124 10s 4d would require to be raised for the  
year of our Lord, one thousand eight hundred and fifty-nine,” and also  
states “that a rate of 1d in the £ on all the rateable property of the  
30 said Municipality, for the year of our Lord, one thousand eight hundred  
and fifty-nine, shall be levied,” without making any proviso for the in-  
crease in the value of the rateable property of the said Municipality:  
That the Corporation of the Town of Bytown, in the year of our Lord,  
one thousand eight hundred and fifty-four, when the rateable property  
35 of the said Town of Bytown, was £35,616, issued Debentures and en-  
acted a By-law numbered 118, levying certain annual rates for fifteen  
years from the date of said By-law, in which By-law “the sum of  
£633 6s 8d would require to be raised for the year of our Lord, one  
thousand eight hundred and fifty-nine,” and also states “that a rate of  
40 4½d in the £ on all the rateable property of the said Municipality, for  
the year of our Lord, one thousand eight hundred and fifty-nine, shall  
be levied,” without making any proviso for the increase in the value of  
the rateable property of the said Municipality: That the rateable  
property of the City of Ottawa, for the year of our Lord, one thousand

eight hundred and fifty-nine, amounted to £56,214 10s 0d, and that, should your petitioners have levied the rates as authorized in the aforementioned By-laws numbered 79, 97, 102 and 118, the amount raised on the increased assessment of the said Municipality, would have been on the aggregate, about double the amount that was "required to be raised" as authorized by said By-laws. Therefore, your petitioners, being desirous to keep down taxation, and thus alleviate the burthen imposed on the rate-payers of this Municipality, enacted a By-law numbered 167, which levied less rates than those authorized in said By-laws Nos. 79, 97, 102 and 118, yet levied sufficient to raise the amount "required to be raised" as stated in said By-laws, viz: the assessment of the property within this Municipality for the year 1859, having increased about one hundred per cent above the assessment of the year 1852, it required only one-half the rate for the year 1859 to raise the same amount of money as would have been raised under a whole rate, if the assessed value of the property had remained the same as it was in the year 1852; so that your petitioners actually levied a rate sufficient to raise the amount of money "required to be raised" under By-laws Nos. 79, 97, 102 and 118 as aforesaid: That a Ratepayer of this Municipality in the said year of our Lord, one thousand eight hundred and fifty-nine, instituted proceedings in the Court of Common Pleas in Toronto, to have the said By-law No. 167 quashed, and during the time the said proceedings were going on in said Court, your petitioners were still collecting the taxes levied under said By-law No. 167, but before the whole of said taxes were collected, the said By-law No. 167 was quashed by the said Court of Common Pleas, and the sum of \$6,276.33 of the taxes due this Municipality for the said year 1859, remain yet uncollected; and the said Corporation have prayed for an Act to empower them to collect the Taxes in arrear under By-law No. 167, and it is expedient to grant the prayer of the Petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, declares and enacts as follows:

Taxes uncollected under By-law No. 167, may be collected at any time.

I. By-law No. 167 of the Corporation of the City of Ottawa, is hereby declared to have been a good and legal By-law, and it shall and may be lawful for the said Corporation at any time to collect all Taxes still unpaid under the said By-law No. 167.

Public Act.

II. This Act shall be deemed a Public Act.