

No. 171.

4th Session, 3d Parliament, 14 & 15 Victoria, 1851.

BILL.

An Act to amend and declare the meaning of certain enactments relating to the Municipal Law of Lower Canada.

Received and read a first time, Monday, 23rd
June, 1851.

Second reading, Thursday, 26th June, 1851.

Mr. SANBORN.

B I L L .

An Act to amend and declare the meaning of certain enactments relating to the Municipal Law of Lower Canada.

WHEREAS doubts have arisen as to the meaning of certain provisions of an Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign intituled "*An Act to make better provision for the establishment of Municipal authorities in Lower Canada,*" as to whether the powers of Councils extend to the regulation of the mode of assessment for the ordinary maintenance of roads within the jurisdiction of such Councils; and whereas doubts have been entertained whether the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign intituled "*An Act to amend the Municipal Law of Lower Canada,*" confers upon the Councils the power to sell the lands of unknown or absent proprietors after advertisement, without previously having obtained judgment against such proprietors: For remedy thereof, be it declared and enacted, &c.

That notwithstanding anything contained in the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, intituled "*An Act to make better provision for the establishment of Municipal Authorities in Lower Canada,*" it shall be lawful for Councils to assess for any purposes connected with roads or bridges, whether the said roads are byroads or front roads, according to the value of the rateable property to be assessed for such purposes, or according to its extent in front or superficies, as a majority of the Councillors shall determine; and it shall be lawful for Councils to make bylaws as well to regulate and determine all matters connected with the keeping up, maintenance, and repair of roads and bridges, both byroads and front roads, as for any other purposes within their jurisdiction, any law or *procès verbal* to the contrary hereof in anywise notwithstanding; and the by-laws of any Council heretofore made for such purpose not contrary to the provisions of this section, are hereby enacted and declared legal and valid unless and until altered or repealed by such Council.

II. And be it declared and enacted, That it shall not be considered necessary in order to comply with the

Preamble.

10 & 11 Vict.

c. 7.

13 & 14 Vict.

c. 34.

Municipal Councils may make By-laws for certain purposes relative to Roads.

Lands of absentees may be sold for

rates without
a previous
judgment.

nineteenth, twentieth and twenty-first sections of the Act hereinabove recited, passed in the session held in the thirteenth and fourteenth years of Her Majesty's Reign, intituled "*An Act to amend the Municipal Law of Lower Canada,*" in causing the lands of absent or unknown 5 proprietors to be sold for rates, that a judgment shall have been previously obtained against the owners or possessors thereof, or against any person or persons whomsoever, provided the other formalities of the said cited sections of the last above cited Act are complied 10 with.