



No. 124.

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1st Session, 4th Parliament, 16 Victoria, 1852.

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## **BILL.**

An Act to amend the Upper Canada Municipalities Act of 1849, and to grant to the several Municipalities the power of assessing for public improvements and the support of indigent infirm persons.

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Received and read a first time, Tuesday, 28th  
September, 1852.

Second reading, Wednesday, 29th Sept., 1852.

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**MR. GAMBLE.**

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QUEBEC.

**BILL.**

An Act to amend the Upper Canada Municipalities Act of 1849, and to grant to the several Municipalities the power of assessing for public improvements, and the support of indigent infirm persons.

**W**HEREAS it is expedient to amend the Act passed in the 12th year of the Reign of Her present Majesty, and intituled *"An Act to provide by one general law for the erection of Municipal Corporations, and the establishment of regulations of Police in and for the several Counties, Cities, Towns, Townships and Villages in Upper Canada,"* and to confer upon the Municipal Councils of Counties and the Municipalities of Townships and incorporated Villages, the power of assessing any Township, part of Township or incorporated Village for the construction of roads, bridges and other public improvements, and for the support of indigent infirm persons resident therein; Be it therefore enacted, &c.,

That from and after the passing of this Act, upon application made in writing under the hands of two-thirds of the resident ratepayers, in any Township, part of Township or incorporated Village, stating their desire to raise by assessment to be levied upon such Township, part of Township or Village respectively, the limits of which shall be therein defined, a sum of money to defray the expense of constructing, improving or repairing any road, bridge, or other public improvement, situate within the limits expressed, a printed copy of which application and the signatures affixed thereto, shall have been put and kept up in ten public places in such Township, part of Township, or Village respectively, and also inserted in some one public newspaper published in the County, for the space, at least, of one calendar month previous, it shall and may be lawful for the Municipal Council of any County, or the Municipality of any Township or incorporated Village, if they shall deem meet, to entertain such application as aforesaid, and to make By-laws for raising, levying, collecting and appropriating such money so required, within such Township, part of Township or incorporated Village respectively; Provided always that any rate imposed for such purpose shall be assessed equally upon the whole rateable property of such Township, part of Township or incorporated Village.

Preamble.

On application of two-thirds of the Rate-payers, rates may be imposed on a Township, or part of a Township or Village for certain purposes.

On application of a majority of Rate-payers rates may be imposed for support of indigent persons.

II. And be it enacted, That whenever a majority of the inhabitants of any Township or incorporated Village, entitled by law to vote at the election of Municipal Councilors shall, by writing under their hand, require provision to be made by assessing such Township or Village for the support of any indigent infirm persons resident therein, and who shall have been so resident for at least \_\_\_\_\_ years, it shall and may be lawful upon the publication of such requisition in the manner specified in the preceding Section of this Act, for the Municipality of any Township or incorporated Village to make By-laws for raising, levying, collecting and appropriating such money as may be required for the support of such indigent, infirm persons; Provided that any rate to be imposed for that purpose shall be subject to the same conditions as all other rates authorized by law to be levied by such Municipalities.

Proviso.

Any Rate-payer may object to the making of such rate, and be heard before the Council.

III. And be it enacted, That whenever any ratepayer resident within the limits of any Township or Village to be affected by the assessments mentioned in the foregoing Sections, shall be dissatisfied and object to such assessments being made for either or any of the purposes set forth in the preceding Sections of this Act, and shall give public notice in the manner recited in this Act, stating the nature of his objections, and of his intention to bring the same under the notice of the Council or Municipality, at least ten days before the meeting thereof, it shall be lawful for such objector to apply to the Council or Municipality by petition, and to attend and adduce evidence, before such Council or a Committee thereof to be appointed for the purpose of hearing such evidence, to shew that any signatures to the application or requisition aforesaid are not genuine or have been surreptitiously obtained, and that the proposed assessment is contrary to the wish of the persons whose signature has been so obtained, and that the remaining signatures do not amount to the number required by the preceding Sections of this Act: And whenever the Council or Municipality before which such objector shall have appeared, shall be satisfied upon the evidence adduced that such is the fact, and that the number of genuine signatures to the application or requisition is less than that required by this Act, then in such case it shall not be lawful for such Council or Municipality to proceed any further upon the application or requisition aforesaid.

If the objection be maintained Council shall proceed no further.