
3rd Session, 6th Parliament, 23 Victoria, 1860

BILL.

An Act to provide for the re-payment to the United Counties of Northumberland and Durham, of moneys loaned by them to certain Municipalities within the said United Counties.

(LOCAL BILL.)

Received and read, first time, Tuesday,
27th March, 1860.

Second reading, Wednesday, 28th March,
1860.

MR. BURTON.

QUEBEC:

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An Act to provide for the repayment to the United Counties of Northumberland and Durham, of moneys loaned by them to certain Municipalities within the said United Counties.

Preamble.

WHEREAS the United Counties of Northumberland and Durham borrowed from the Consolidated Municipal Loan Fund the sum of £115,000, and loaned portions of the said sum to certain Municipalities, within the said United Counties, for the purpose of constructing gravelled roads, upon such Municipalities, respectively, undertaking to pay on such loans at the rate of eight per centum per annum, six per centum of which to be for the annual interest thereon, and two per centum thereof for providing a sinking fund for the liquidation of the said loans; And whereas the following Municipalities borrowed portions of the said sum from the said United Counties, and were indebted on account thereof on the thirty-first day of December last, as follows :

	Bowmanville	- - - - -	\$
	Clarke	- - - - -	
	Cavan	- - - - -	
15	Hope	- - - - -	
	Percy	- - - - -	
	Cramahé	- - - - -	
	Brighton	- - - - -	
	Murray	- - - - -	

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20 And whereas it is expedient to provide for the more easy collection of the said annual rate of eight per centum on the said indebtedness of the said Municipalities, respectively, to the said United Counties; Therefore, Her Majesty, enacts as follows :

25 I. There shall be raised by each of the said Municipalities, in each and every year, until the indebtedness of the said United Counties on account of the said loan first above mentioned to the Government shall be fully liquidated, an annual sum equal to eight per centum on the indebtedness of each Municipality to the said United Counties, on the thirty-first day of December last, as above set forth.

8 per cent on its debt to be raised yearly by each Municipality.

30 II. Such sum so to be raised shall be paid over by each such Municipality to the Treasurer of the said United Counties, on or before the first day of December in each year, and shall be by him forthwith paid over to the Receiver General, for and on account of the indebtedness of the said United Counties to the Government on account of the said loan.

When payable:—To be paid over to Receiver General.

40 III. In case any such Municipality shall fail to pay over to the said Treasurer the said sum so to be raised by such Municipality at the time above limited for payment thereof, the said Treasurer shall forthwith issue his warrant therefor, and proceed to the collection thereof with interest in the same manner as for County Rates.

In default County Treasurer to collect it as County Rates.

Liability of any Municipal Officer, Councillor, &c., refusing or neglecting to do anything requisite to the collection of the said rate.

IV. Any Treasurer, Collector or other Municipal Officer or functionary, or any member of the Council of any of the said Municipalities, willfully neglecting or refusing to perform or concur in performing any official act requisite for the collection of the said rate,—or misapplying or being a party to the misapplication of any portion of the proceeds thereof, or neglecting or refusing to pay over the same to the Treasurer of the said United Counties, shall be guilty of misdemeanor, and such Treasurer, Collector or other Municipal Officer or Functionary and his sureties shall, moreover, be personally liable to the United Counties of Northumberland and Durham, for any sum which, by reason of such neglect, refusal, misconduct or misapplication, shall not be paid to the Treasurer of the United Counties of Northumberland and Durham, at the time required by this Act, as for moneys received by such Member, Treasurer, Collector or other Municipal Officers or Functionary, for the use of the said United Counties.

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Rate to be first charged on all Municipal Funds.

V. The said rate so to be raised by each of the said Municipalities shall be the first charge on all the funds of such Municipality for whatever purpose or under whatever By-Law raised, and no Treasurer, Member, Collector or Officer of such Municipality shall, after the first day of December next, pay any sum whatever out of the funds of such Municipality in his hands until the sum payable by the Treasurer of such Municipality to the Treasurer of the United Counties of Northumberland and Durham under this Act, has been paid to him: And if any such Treasurer or Municipal Officer or Member pays any sum out of the funds of his Municipality, contrary to the provisions hereinbefore made, he shall be deemed guilty of a misdemeanor, and he and his sureties shall moreover be liable for every sum so paid as for money received by such Treasurer or Municipal Officer or Member for the use of the said United Counties.

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Liability of any Treasurer, &c., paying out any Municipal monies till the rate is paid.

Rate to be in addition to all others.

VI. The said annual sum so to be raised by each of the said Municipalities, shall be in addition to any rate required to be raised by them by any law or by any law of this Province.

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Public Act.

VII. This Act shall be deemed a Public Act.