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No. 145.

2nd Session, 5th Parliament, 19 Victoriae, 1856.

B I L L .

An Act to amend the Act 18 Vict. Cap. 2.

Received and read first time, Tuesday, 1st
April, 1856.

Second reading Friday, 4th April, 1856.

Mr. Atty. Genl. MACDONALD.

S. Derbshire & G. Desbarats, Queen's Printer.

An Act to amend 18 Vict. Cap. 2.

WHEREAS it is expedient to amend an Act passed in the Preamble.
 eighteenth year of Her Majesty's Reign, intituled, 18 V. c. 2.
An Act to make better provision for the appropriation of
moneys arising from the lands heretofore known as the Clergy
Reserves, by rendering them available for Municipal pur-
 5 *poses: Therefore Her Majesty, by and with the advice and*
consent of the Legislative Council and Assembly of Canada,
 enacts, as follows:

I. The amount of "The Upper Canada Municipalities
 10 Fund," remaining unexpended and unappropriated under the
 provisions of the first, second, third and fourth sections of the
 said Act, on the thirty-first day of December, in the year one
 thousand eight hundred and fifty-five, and on the same day in
 each year after the passing of this Act shall, by the Receiver
 15 General, be apportioned equally among the several City,
 Town, Incorporated Village and Township Municipalities in
 Upper Canada, in proportion to the number of Rate-payers
 that shall appear on the Assessment Rolls of such Municipi-
 20 palities for the year next before the time of such apportion-
 ment.

II. It shall be the duty of the Clerks of the several Cities,
 Towns, Incorporated Villages and Townships in Upper Can-
 25 ada, on or before the first day of July next after the passing
 of this Act, to transmit to the Receiver General a true Return
 of the number of Rate-payers appearing on the said several
 Assessment Rolls for the year one thousand eight hundred and
 30 fifty-five, and on or before the first day of December in each
 year thereafter to transmit to the Receiver General a similar
 Return for the year in which such Return shall be made; and
 to make an affidavit, to be written on each of the said Returns,
 and sworn before a Justice of the Peace, of the correctness of
 such Return.

III. Any Clerk of any of the said Municipality who shall
 fail to make any Return required by the next preceding sec-
 35 tion of this Act, by the time therein limited, shall be liable
 for each failure to a penalty of _____ to be
 paid to the Receiver General for the use of the Province, which
 penalty may be sued for and recovered by the Crown in any
 Court of competent jurisdiction.

IV. In case it should at any time appear that by reason
 40 of an erroneous return too much money has been paid to a
 Municipality, the excess shall be a debt due and recoverable
 by the Crown from such Municipality.

V. So much of the fifth section of the before mentioned
 45 Act, as is inconsistent with this Act shall be and the same is
 hereby repealed.

How the un-
 appropriated
 balance of the
 U. C. Municipi-
 alities Fund
 shall be ap-
 propriated
 yearly.

Clerks of Mu-
 nicipalities in
 U. C. to make
 certain returns
 yearly to the
 Receiver Gen-
 eral.

Penalty on
 Clerks not
 making such
 return.

Recovery of
 money over-
 paid under
 erroneous
 return.

Repeal of in-
 consistent pro-
 visions.