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E. E.

415.

## **BILL.**

An Act to continue and extend the Act to enable the County of Welland Municipal Council to purchase the Great Cranberry Marsh and for other purposes.

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Received and read first time, Monday, 16th May, 1853.

Second reading, Friday, 20th May, 1853.

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[350 Copies.]

HON. MR. CROOKS.

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QUEBEC:

Printed by Bureau & Marcotte, Buade Street.

**BILL.**

An Act to continue and extend the Act to enable the County of Welland Municipal Council to purchase the Great Cranberry Marsh and for other purposes.

**W**HEREAS by the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Preamble.

"Reign intituled, "An Act to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh and for other purposes," it is amongst other things enacted, that the Commissioners or Building Committee therein named or the said County Council of Welland should make the purchase or other acquisition of the said Land, at or before the end of the present Session of the Provincial Parliament; and whereas the said Commissioners or Building Committee or the said County Council of Welland have not yet fully completed the purchase or other acquisition of the said land, although the said Commissioners have entered into an agreement in writing with the Commissioners of Public Works for the purchase of the same and have paid the first instalment of the purchase money thereon, amounting to the sum of three hundred and twenty two pounds sixteen shillings; and whereas the said Commissioners or Building Committee have by their Petition prayed that the time for completing the said purchase or other acquisition of the said Land may be extended, and it is expedient to grant the same: Be it therefore enacted, that the said Act hereinbefore in part recited, shall be and the same is hereby continued to the first day of January next after the passing of this Act, and thence until the end of the then next ensuing Session of Parliament.

Act 14 & 15  
Vict. c. 139  
continued to  
1st Jany. 1854  
&c.

II. And be it enacted, That so soon as the Reeves and Deputy Reeves elected or to be elected for the said County of Welland shall form themselves into a Provisional Municipal Council for the said County, it shall and may be lawful for the said Provisional Municipal Council and they are hereby required in case they shall have then acquired title to the said land, to execute to the Government of this Province, at the request of and in such manner and form as shall be satisfactory to the

Provisional  
Municipal  
Council of  
Welland  
having acquired  
title to the  
Great Cran-  
berry Marsh  
to mortgage  
the same to

the Commis-  
sioners of  
Public Works.

Commissioners of Public Works, a mortgage or mortgages, a fee or other conveyance of the said land for the purpose of securing payment of any balance of the purchase money that may then remain due according to the terms of sale, with covenants for the due performance of such conditions, stipulations and agreements as were required by the said Commissioners of Public Works, at the time the said agreement for purchase was made, to be entered into by the said Board of Commissioners on the part and behalf of the said Provisional Municipal Council, which said mortgage or mortgages or other conveyance and the covenants and agreements therein contained shall be deemed and taken to be, both at law and in equity, binding upon and chargeable against the said Provisional Municipal Council and their successors, in the same manner and to the same extent as if the same had been made or entered into by any Municipal Council authorized by law to make the said purchase, and to become bound for the payment of the purchase money and the fulfilment of the conditions of sale, any law to the contrary thereof notwithstanding.

Sum of  
£322 16 0 ad-  
vanced by  
Board of Com-  
missioners to  
constitute a  
debt due to  
them with in-  
terest by the  
Provisional  
Municipal  
Council.

III. And whereas there is reason to believe that the sum of three hundred and twenty-two pounds sixteen shillings, so paid as aforesaid to the said Commissioners of Public Works, was paid by the said Board of Commissioners out of their own private means and not out of any monies belonging to the said County; Be it therefore enacted, that the said sum shall become and constitute a debt due by the said Provisional Municipal Council to the said Board of Commissioners and shall be repaid to them with interest thereon, at the rate of six per centum per annum, to be computed from the second day of May, in the year of our Lord one thousand eight hundred and fifty-three, at such time or times and in such manner as shall be agreed upon between the said Board of Commissioners and the said Provisional Municipal Council; Provided always, that it shall be incumbent on the said Board of Commissioners to prove to the satisfaction of the said Provisional Municipal Council that the said sum was so paid and advanced by them out of monies other than those belonging to the said County.

Proviso.

Board of Com-  
missioners to  
deliver up  
titles and ac-  
count for mo-

VI. And be it enacted, that it shall be the duty of the said Board of Commissioners and they are hereby required on demand of the said Provisional Municipal Council or their successors, to deliver up to the said Provisional Municipal Council all deeds, contracts, bonds, agreements or other writings touching or relating to the said purchase or the resale of the

1247.

said lands or any part thereof, and to account for and pay over  
to the said Provisional Municipal Council all such sum or sums  
of money as may at any time have been collected from any  
person or persons or paid to the said Board of Commissioners  
5 or any of them, for or in respect of the land.

neys to Pro-  
visional Muni-  
cipal Council.