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No. 232.

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2nd Session, 6th Parliament, 22 Victoria, 1859.

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## BILL.

An Act to enable County Municipalities  
to recover the amount of certain assessments.

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Received and read, first time, Friday, 8th  
April, 1859.

Second reading, Saturday, 9th April, 1859.

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HON. MR. HARWOOD.

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TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to enable County Municipalities in Lower Canada to recover the amount of certain assessments.

**W**HEREAS the Act passed in the twentieth year of Her Majesty's Preamble.  
 reign, and intituled "*An Act to amend the Judicature Acts of* 20 Vict., c. 44,  
*Lower Canada,*" provides, amongst other things, for the establishment  
 of a Circuit Court in each of the Counties of Lower Canada, (other  
 5 than the Counties excepted by the Act,) and that such Circuit Court  
 may be so held in any County, under the restrictions imposed by  
 the said Act, as soon as the Municipality of such County shall have  
 provided proper accommodation for the Court and its Officers, "and  
 made permanent provision for the maintenance of such accommoda-  
 10 tion;" Whereas by the same Act there is allowed to each County Muni-  
 cipality the sum of £300 towards building or procuring a County  
 Court-house at a place to be approved by the Governor; Whereas the  
 powers conferred upon County Municipalities of raising or providing  
 for the recovery of any sums they may deem necessary to be added to  
 15 the said £300 for the purpose of building a County Court-house, are  
 not sufficiently indicated in the Municipal Acts; Whereas certain  
 County Municipalities have passed By-laws for the erection of such  
 County Court-houses, and whereas certain County Municipalities have  
 imposed assessments payable by the Local Municipalities, for purposes  
 20 connected with the interests of the public or of such Counties, and  
 whereas the Municipal laws of Lower Canada do not provide a prompt  
 and easy method for the recovery of the same; Therefore Her Majesty,  
 &c., enacts as follows:

I. In any County Municipality in which land has been offered for  
 25 the building of a County Court-house, and accepted by the Governor  
 as the site thereof, and in which the Council shall have ordered  
 and directed, or shall hereafter order and direct, the building of such  
 Court-house on the said site, and shall have apportioned or shall here-  
 after apportion the sum payable, or hereafter to be payable, by each  
 30 Local Municipality for such purpose, such By-law shall be definitive,  
 and the assessment so imposed shall be obligatory upon such Local  
 Municipality, and thenceforward the sum therein mentioned shall be-  
 come a debt of such Local Municipality.

II. It shall be the duty of the Secretary-Treasurer of the County  
 35 Municipality, immediately after the passing of any such By-law by  
 such County Municipality, to transmit a copy thereof to the Secretary-  
 Treasurer of each Local Municipality affected thereby, and the Secre-  
 tary-Treasurer of such Local Municipality shall, within two months  
 respectively.

after the day on which he shall have received the same, or within two months after the passing of this Act, if such By-law have been passed or adopted previous to the passing of this Act, prepare a special collection roll or assessment roll, as the case may be, based upon the valuation roll for such Local Municipality, and he shall calculate and insert the several assessments payable by each contributor, and the total amount due by each person in such Local Municipality, and in case he shall fail to do so within the said delay, the said Secretary-Treasurer of such Local Municipality shall be liable to a fine of not less than *one hundred* or more than *two hundred dollars*, recoverable at the suit of the County Municipality, before one or more Justices of the Peace, under an ordinary Writ of Summons. 5 10

Local Secretary-Treasurer to collect the sums so apportioned.

III. The Secretary-Treasurer of any Local Municipality affected by such By-law of a County Municipality, after he shall have prepared in the manner aforesaid the collection roll mentioned in the second section of this Act, shall be the collector of the same, and it shall be his duty to raise the amount of the assessment so imposed in the manner provided by the 74th section of the Lower Canada Municipal and Road Act of 1855: and such Secretary-Treasurer shall be bound to render an account to the County Municipality of the collection of such monies in the manner and under the penalties and suits provided by the 74th section of the Lower Canada Municipal and Road Act of 1855, and the Acts amending the same. 20

Act to apply to all assessments for County works.

IV. The provisions of this Act shall apply to all assessments imposed by County Municipalities upon any Local Municipality in matters relating to the County interests, or for the purpose of making provision for any County works. 25