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## **BILL.**

An Act to explain and amend the Act intitled, "An Act to establish a Consolidated  
" Municipal Loan Fund for Upper-  
" Canada."

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Received and read first time, Tuesday, 15th March,  
1853.

Second reading, Friday, 18th March, 1853.

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[REPRINTED.]

[250 Copies.]

HON. MR. TACHÉ.

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QUEBEC:

Printed by Bureau & Marcotte, Buede Street.



## BILL.

An Act to explain and amend the Act intituled, " An  
" Act to establish a Consolidated Municipal Loan  
" Fund for Upper Canada."

**W**HEREAS, it was intended that the ninth section of the  
Consolidated Municipal Loan Fund Act should apply  
to by-laws passed or in course of being passed before said Act  
came into force for the purpose of aiding in the construction of  
any Rail-way, or for the improvement of any navigable River or  
other such work as provided for by the said Act ; Be it therefore  
enacted by the Queen's Most Excellent Majesty, by and with  
the advice and consent of the Legislative Council and of the  
Legislative Assembly of the Province of Canada, constituted  
and assembled by virtue of and under the authority of an Act  
passed in the Parliament of the United Kingdom of Great  
Britain and Ireland, and intituled, "*An act to re-unite the*  
*Provinces of Upper and Lower-Canada, and for the*  
*Government of Canada,*" and it is hereby enacted by the  
authority of the same, that the ninth section of the Act afore-  
said, shall be held to include any by-law for any of the pur-  
poses mentioned in the preamble to this Act which was passed  
before the said Act came into force or which has been passed  
since the said Act came in force, but at the date of such Act  
was in the course of being passed.

Preamble.

Sec. 9, of 16  
Vict. c. 22, ex-  
plained.

II. That before any such Municipality shall receive or be  
entitled to receive any money to be raised under the above  
recited Act, a true copy of the by-law under which the money  
is to be raised together with affidavits of the Treasurer and  
Clerk of the Municipality verifying the same and such other  
information as the Governor in Council may require, shall be  
transmitted to the Receiver General.

Copies of by-  
law and affida-  
vits to be trans-  
mitted to the  
Receiver Gen-  
eral.

III. That if the Governor in Council shall approve of such  
by-law it shall not be necessary to impose or levy annually  
the sum or rate per pound which may have been fixed in  
such by-law to pay the principal and interest of the loan, but  
such sum only shall be levied and collected, as may be necessary  
under the provisions of the sixth section of the said in part  
recited Act, and all proceedings in connection with such loan  
and by-law or for the recovery of any sum of money which  
ought to be paid thereunder, may be had and taken as if the  
said by-law had been passed for the purpose of raising money  
under the said in part recited Act and after the same came into  
force.

Such sum only  
to be levied as  
may be neces-  
sary under  
sec. 6, of 16  
Vict. c. 22.

Debentures to  
be deposited  
with the Re-  
ceiver General

IV. That all Debentures which have been or can be issued under the authority of such by-laws as are referred to in the first section of this Act, shall be deposited with the Receiver General before the Municipality shall be entitled to receive any of the money to be raised under any such by-law, and upon payment by the Municipality of the whole amount which shall be payable in respect of the said loan, such Debentures shall be cancelled and destroyed in such manner as the Governor in Council shall direct; Provided always, that the money to be raised under any such by-law shall be paid by the Receiver General only on the joint order of the head of such Municipality and the President of the Company entitled to receive the same; Provided also, that when any such by-law shall have been passed by the Council of any Union of Counties, and such Union shall at any time be dissolved after the passing of such by-law, the several Counties of which such Union of Counties was composed, shall continue to be liable in respect of the loan raised under such by-law as fully and effectually, to all intents and purposes, as if such Union had not been dissolved, and the Sheriff of the senior county shall have power within every county which at the time of the passing of such by-law formed part of such former Unions of Counties, to levy any rate which he may be required to collect under the seventh section of the said in part recited Act, in the same manner as if such Union of Counties, had not been dissolved; Provided also, that in case of any dissolution of a Union of Counties as aforesaid, the order hereinbefore mentioned shall be signed by the Head of the Municipality of the Senior County of such former Union.

No informal-  
ity to affect  
validity of by-  
law when ap-  
proved by  
Governor in  
Council.

V. And be it enacted, that no informality or irregularity in any such by-law or in the proceedings relative thereto anterior to the passing thereof, shall in any way affect the validity thereof, after the Governor in Council shall have approved such by-law, but the order in council approving such by-law shall be held to cover any such informality or irregularity, and the by-law shall be valid to all intents and purposes, and proceedings may be had for enforcing the payment by the Municipality the Council whereof passed such by-law and by the inhabitants thereof under the provisions of the Act hereinbefore in part recited, as if the by-law had been passed after the said Act and all the requirements thereof had been complied with in regard to such by-law.

Exception as  
to Debentures  
transferred,  
16 Vict. c. 22.

VI. Nothing herein contained shall be held to authorize the raising of any loan under the said Act, when such loan shall have been negotiated or the Debentures issued therefor sold to any party before the passing of the said Act.