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No. 152.

4th Session, 3d Parliament, 14 Victoria, 1851.

BILL.

An Act to indemnify the Municipal Councillors of the County of Peterborough, and others, for acts done under a certain By-law of the Municipal Council of the said County, which was afterwards quashed.

Received and read a first time, Tuesday, 17th
June, 1851.

Second Reading, Monday, 23rd June, 1851.

MR. HALL.

B I L L .

An Act to indemnify the Municipal Councillors of the County of Peterborough and others, for acts done under a certain By-law of the Municipal Council of the said County, which was afterwards quashed.

WHEREAS the Municipal Council of the County Preamble.
of Peterborough did on the twenty-second day of June, 1850, pass a By-law numbered thirteen, appropriating the sum of *six hundred pounds* out of the County
5 Funds to be expended on certain Roads within the said County, by the Municipal Councillors of the several Townships therein, and of the town of Peterborough, the said sum being directed to be distributed among the several Municipalities in proportion to the amount they might have
10 respectively contributed to the County Funds, during the then last year; and whereas the said sum was in good faith distributed and expended in the manner directed by the said By-law, for the benefit of the inhabitants of the said County without any waste or misapplication of any
15 portion thereof; yet nevertheless doubts having arisen as to the strict legality of the said By-law, the question was brought before the Court of Queen's Bench for Upper Canada, and by a judgment of that Court, given on the thirteenth day of February, 1851, the said By-law was
20 quashed: and whereas the said Municipal Council of the County of Peterborough have by their Petition represented to the Legislature the facts aforesaid, and have prayed that the Councillors and parties concerned in
passing or executing the said By-law may be indemnified
25 and saved harmless for so doing, and inasmuch as the said By-law, though not strictly conformable to the letter of the law, was passed and executed in perfectly good faith, and with an honest desire to advance the public good, it is right to grant the prayer of their petition:—Be
30 it therefore enacted, &c.

That the said Municipal Council of the County of Peterborough and all and every, the Municipal Councillors of the said County of Peterborough, or of the several Townships therein, or of the Town of Peterborough, and all other
35 officers and persons, who concurred or were concerned in passing the By-law mentioned in the Preamble to this Act, or in carrying the same into execution, shall be and are hereby indemnified and saved harmless, and shall be

The said Municipal Council, and others indemnified for passing the said By-law and for their doings under the same.

Exception.

liable and responsible for their doings with regard to or under the same, so far only as they would have been if the said By-law had by the said judgment of the Court of Queen's Bench been declared legal and valid; excepting always the liability of them, or any of them, for the costs incurred in the proceedings in which the said judgment was given, which liability shall remain the same as if this Act had not been passed. 5