

CHAP. XVIII.

AN ACT to regulate the Expenditure of District Funds within this Province.

[Passed 4th March, 1837.]

Preamble.

Accounts against any District to be delivered to the Clerk of the Peace before the first day of the Sessions.

No accounts to be audited unless seven Magistrates be present, and accounts to be examined on the second day of each Session, and order for payment to express the Statute authorizing the expenditure.

Clerks of the Peace to furnish Treasurers with list of orders in their priority, and Treasurer to pay the same accordingly;

Expenses of Prisoners and accounts of Public Officers, and Officers of the Court, to be first paid;

WHEREAS it is expedient to provide for a more just and equitable mode of expending the District Funds, and paying the various Accounts due by the several Districts in this Province: *Be it therefore enacted* by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That all accounts or demands preferred by any person against the District, shall be delivered to the Clerk of the Peace, on or before the first day of the Session in each Term, to be laid before the Bench.

II. *And be it further enacted by the authority aforesaid*, That no Accounts shall be passed or audited at any Court of Quarter Sessions in any District within this Province, unless at least Seven Magistrates be present, whose names are to be entered on the Record, and that the said Accounts shall be taken into consideration on the second day of each Session, and disposed of as soon as practicable, and that all Orders or Checks signed by the Chairman of Quarter Sessions, shall express the Act of Parliament under which such expenditure is authorised, if the same be made under the provisions of an Act of Parliament, except for the payment of Constables, or services rendered during the sitting of the Court.

III. *And be it further enacted by the authority aforesaid*, That at the adjournment of each and every Court of Quarter Sessions, it shall be the duty of the Clerk of the Peace, to furnish the Treasurer with a list of the Orders passed during such Session, according to their priority; and it shall be the duty of the said District Treasurer, to pay the said Orders according to the respective dates and numbers, in which the same were passed at the said Sessions. *Provided always*, that all sums necessary to defray the expenses of the custody and maintenance of Prisoners, and the accounts of Public Officers, and Officers of the Court, shall be first paid,

and the said Treasurer shall present, on the first day of each Session, a Balance Sheet of the Receipts and Expenditures of the District Funds for the preceding Quarter, from whatever sources the same may be derived.

Treasurers to render accounts each Session.

IV. *And be it further enacted by the authority aforesaid, That whenever an Order is passed or recorded by any number of Magistrates in any District within this Province, the same shall not be rescinded unless at least the same number be present.*

No order to be rescinded unless by an equal number of Magistrates to those making such order.

V. *And be it further enacted by the authority aforesaid, That it shall not be lawful for the Magistrates for any District, except where Debts are actually due by such District, to order or direct the payment of any sum of money by the Treasurer of such District, unless it shall appear by the examination of the Treasurer's accounts, that there are sufficient funds in his hands to meet the payment of such order, and that if any such order shall be made contrary to the provisions hereof, the person or persons in whose favour such order shall be made, shall be entitled to recover the same against the Magistrates who shall have sanctioned such order, in any action to be brought for that purpose, as so much money had and received to his or their use and benefit.*

No order to be made by Magistrates for the payment of money, except where debts are actually due by the District, unless there are sufficient funds in the Treasurers hands to pay the same.

CHAP. XIX.

AN ACT to amend the Laws now in force regulating the Sale of Lands for arrear of Taxes, and for other purposes therein mentioned.

[Passed 4th March, 1837.]

WHEREAS it is expedient to afford to the Proprietors of Land sold to pay Assessments in arrear, as much protection as may be consistent with the carrying fully into effect the Laws in that behalf: *And whereas* experience has shewn that the provisions hereinafter contained are necessary for that purpose: *Be it therefore enacted* by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same,

Preamble.