

*Laws of Her Majesty's Province of Upper Canada*, passed in the year 1850. Toronto: Stewart Derbshire & George Desbarats, 1850.

13 & 14 Victoria – Chapter 71

**An Act to enable the Provincial Government to dispose of claims against certain Companies for Loans made to them under the authority of certain Acts of the Parliament of Upper Canada. 10th August, 1850.**

Whereas the Government of this Province, or that of the Province of Upper Canada, hath at divers times, under the authority of Acts of the Legislature of Upper Canada, advanced or paid sums of money to or for Companies incorporated for the purpose of constructing canals, rail-roads, harbors, roads and other works and improvements of a public nature in Upper Canada, and such sums or part thereof, or the interest thereon or part thereof, remain due to the Province, and it is expedient to authorize the Provincial Government to dispose of the claim of the Province for any such sum as aforesaid, to any party who may be willing to purchase the same, and upon such terms as may be agreed upon between the Government and such party: 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 it shall be lawful for the Governor in Council, by any Order in Council to be made for that purpose, to assign, transfer and convey to any Municipal Corporation, Incorporated Company or other party, who may agree to purchase the same, the claim of the Province for any sum of money due from any Company or party, and arising out of any such advance or payment as is mentioned in the preamble to this Act, on such conditions and with such clauses, provisions and limitations as shall be mentioned in such Order in Council, including the undertaking of any third party to become surety for the due payment of the consideration money, and the faithful performance of any conditions therein mentioned; and any such Order in Council shall transfer to and vest in the party therein named for that purpose, all the rights of the Crown in and to the debt or claim thereby intended to be transferred, and shall have effect according to the tenor thereof, as if the clauses, conditions and provisions thereof were inserted in this Act: and a copy of the Canada Gazette containing any such Order in Council, or any copy of such Order certified by the Provincial Secretary, shall be evidence thereof, and the consent and agreement of all the parties named therein shall be presumed, unless disputed by such parties, and if disputed, shall be proved by any copy of such Order in Council on which the consent of such parties shall be written and attested by such signature or seal, or both, as would be sufficient to make any deed or agreement the deed or agreement of such parties: and any Municipal Corporation in or through whose Municipality any such public work or improvement as is mentioned in the preamble to this Act, may lie or pass, is hereby empowered to purchase any claim of the Province upon the same, and to raise by assessment the sum necessary to pay the consideration agreed upon.