

Laws of Her Majesty's Province of United Canada, passed in the year 1851. York: Stewart Derbyshire and George Desbarts, 1851.

14 & 15 Victoria – Chapter 31

An Act to indemnify the Municipal Councillors of the County of Peterborough and others, for passing a certain By-law of the Municipal Council of the said County, which was afterwards quashed. 2d August, 1851.

Whereas the Municipal Council of the County of Peterborough did on the twenty-second day of June, one thousand eight hundred and fifty, pass a By-law numbered thirteen, appropriating the sum of Six Hundred Pounds out of the County 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 respectively contributed to the County Funds, during the then last year; And whereas 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, one thousand eight hundred and fifty-one, the said By-law was 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 the said By-law, may be indemnified 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 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 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 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 officers and persons who concurred or were concerned in passing the By-law mentioned in the Preamble to this Act, shall be and are hereby indemnified and saved harmless, and shall be liable and responsible for their doings with regard to 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: Provided always, That nothing herein contained shall be construed to legalize or render valid the said By-law or any other By-law of the said Municipal Council, which would not be legal or valid without this Act.