

CAP. X.

An] Act to amend the Act relating to Annual Returns of Municipal and Civic Indebtedness, and to make further provision for Returns of the Assessed Value of Real and Personal Property in Counties, Cities and Towns.

Sec.	Sec.
1. Municipalities, &c., to file with Provincial Secretary returns of the assessed value of real and personal property, also returns of loans effected.	required by Section 1; form of order to enforce filing of returns.
2. Local bodies, &c., to file returns with Treasurer, of moneys borrowed by them.	7. Disobedience of order how punished; decision of Judge final.
3. Return shall be in detail; forms of.	8. Against whom Provincial Secretary may proceed; costs.
4. Returns so filed to be laid before the Legislature.	9. Proceedings in case of failure, &c., to file returns required by Section 2.
5. & 6. Proceedings in case of failure or refusal to file return	10. What word "Treasurer" shall include.
	11. Acts repealed. Schedule.

Passed 28th April, 1899.

Whereas Municipal and Civic Corporations within the province, derive from the Legislature the authority by which they borrow money, and issue debentures or certificates of indebtedness therefor; and

Whereas it is advisable that an annual return of such indebtedness, as well as of the assessed value of the real and personal property of each Municipal and Civic Corporation, be laid before the Legislature;

Be it therefore enacted by the Lieutenant Governor and Legislative Assembly as follows:

1. It shall be the duty of each Municipal, City and Town Council, in this province, through its Treasurer, on or before the 1st day of February in each year, to prepare and file in the office of the Provincial Secretary, a return or statement of the assessed value of all the real estate and the personal property within such Municipality, City or Town, and also a return or statement of any loan effected under any Act of the Legislature, and chargeable upon the Municipality, City or Town, or upon any part thereof, whether issued by the Municipality, City or Town, or any body corporate or commissioners having power to borrow money on the credit of the Municipality, City or Town, or any part thereof.

2. It shall be the duty of all local bodies, commissioners, or corporations having authority to borrow money on the credit of any County, City or Town, or any part of any County, City or Town, on or before the 31st day of December in each year, to prepare and file with the Treasurer of the County, City or Town, on the credit of which they are authorized to borrow money as the case may be, a return or statement of any money so borrowed.

3. The return or statement required to be made by the first and second Sections hereof, shall state and show in detail the amount of all the debentures, script, or certificates of indebtedness issued under any such Act, authorizing the issue thereof, the time when the said debentures, script or certificates will mature, the amount then outstanding and unpaid, the amount of any sinking fund available for the pay-

ment thereof at maturity; such return or statement shall be as near as possible in the forms A, B and C, in the Schedule to this Act annexed.

4. The returns made to and filed with the Provincial Secretary hereunder, shall be laid before the Legislature within fourteen days after the opening of the Session.

5. In case of the failure or refusal of any Treasurer, Municipal, City, or Town Council to comply with the provisions of Section one of this Act, the Provincial Secretary, acting in the name of and on behalf of Her Majesty the Queen, may, upon his certifying, under his hand to any Judge of the Supreme Court, that there has been such failure or refusal, obtain from such Judge a summons, calling upon such Treasurer, Municipal, City or Town Council to show cause before him why the order in the next following Section mentioned, should not issue.

6. If in the opinion of the Judge before whom the summons is returnable, no sufficient cause is shown by the parties, the Judge may make an order against the party in default, which order shall be in the nature of a mandatory injunction, and shall be in the form as near as may be to that marked D, in the Schedule of this Act.

7. Any disobedience of the above order, shall be punishable in the same manner, and by the like proceedings as a breach of an injunction order issuing out of the Supreme Court in Equity, the Judge before whom the summons mentioned in Section five, or any other Judge having for this purpose like powers as are vested in the Judge in Equity in injunction matters. The decision of the Judge shall be final, and he may make any order he may think fit as to costs.

8. The Provincial Secretary may, at his option, proceed under the three preceding Sections, either against corporations in their corporate capacity, or against any or all of the individual members thereof; and the Judge in awarding costs against any body corporate or any of the members thereof, may order the same to be paid out of the funds of the corporation, or by the individual found in default, as he may deem just.

9. Any failure, default or refusal by any of the persons or bodies corporate mentioned in Section two of this Act, in the duties herein imposed upon them, shall be deemed a direct offence against Her Majesty, and shall be punishable in the same manner and by the same penalties as though it were a failure, default, or refusal to perform any of the requirements mentioned in Section one of this Act and committed by any of the persons or body corporate mentioned in Section one.

10. The term "Treasurer" as herein used shall include the Chamberlain, Treasurer or Secretary-Treasurer of any City, or incorporated Town, or Municipality.

11. The Act 44 Victoria, Chapter 20, and 45 Victoria, Chapter 31, are hereby repealed.