A BILL

To render valid the Collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria.

Preamble.

Whereas by the Twenty-fourth section of "The Victoria Incorporation Act 1862" it was enacted that "The Council may "subject as therein contained by a By-law passed and confirmed as "therein mentioned direct in what manner the funds required for the "Municipal purposes shall be raised."

And whereas pursuant to the provisions of the said Act the said Municipal Council on the Seventeenth day of March One thousand eight hundred and sixty-three passed a By-law whereby certain Licenses were directed to be issued to persons carrying on certain professions trades and callings within the Municipal limits and certain monies were directed to be paid by all persons so carrying on such professions and trades and certain penalties were enacted with regard to all persons making default in payment of the same.

And whereas such By-law was duly submitted to the Municipal vote pursuant to the Twentieth section of the said Act.

And whereas the same By-law was duly confirmed by such Municipal vote.

And whereas doubts have been entertained as to the validity of the said By-law of Fourteenth day of March One thousand eight hundred and sixty-three.

And whereas pursuant to the provisions of the said Act a By-law was on the Twelfth day of December One thousand eight hundred and sixty-three duly passed whereby it was enacted that an assessment of one-half of one per cent. for the year ending the Thirty-first day of December One thousand eight hundred and sixty-three and three-eighths of one per cent. for the year One thousand eight hundred and sixty-four upon the assessed value of all Real Estate situate within the limits of the said Municipality should be levied and paid in manner therein provided and certain penalties were therein enacted with regard to all persons making default in payment of the same.

And whereas the said By-law was not disallowed under the provisions of the said Twentieth section of the Victoria Incorporation Act One thousand eight hundred and sixty-two.

And whereas doubts may be entertained with regard to the validity of the said By-law of the Twelfth day of December One thousand eight hundred and sixty-three.

And whereas it is expedient to amend the said Victoria Incorporation Act One thousand eight hundred and sixty-two by making the By-laws passed by the Municipal Council subject to the assent of the Governor for the time being of Vancouver Island and its Dependencies.

And whereas it is expedient to prevent any further interference with the operation of the said Victoria Incorporation Act and the By-laws hereinbefore recited and all other By-laws hereinafter passed and assented to as hereinafter provided otherwise than by the act of the Legislature and to declare that such By-laws are in full force and effect until otherwise repeated by the Legislature and that all persons mentioned to be liable to the penalties in such By-laws shall be deemed so liable and shall be subjected to all such penalties and that the same shall be sued for at the information of the Town Clerk before the Mayor of the City of Victoria as Justice of the Peace and shall be recoverable and recovered as in such By-law provided or if no provision is in such By-law contained then as is in the Victoria Incorporation Act 1862 provided.

Be it therefore enacted by His Excellency the Governor on Her Majesty's behalf by and with the consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies as follows :

Recovery of License Monies in default.

I. That all Persons, Corporations or Bodies Politic mentioned in the said By-law passed by the said Mayor and Council of the City of Victoria on the said Fourteenth day of March One thousand eight hundred and sixty-three as being liable to pay any of the License monies therein specified shall in the event of their making default in payment of any monies mentioned as being payable by them or him in such By-law within seven days from the passage of this Act be summoned by the Town Clerk before the Mayor of the City of Victoria who may inflict such penalty upon such Person Corporation or Body politic as is mentioned in such By-law.

Municipal By-laws of 14 March, 1863 and 12 December 1863 declared Law.

II. That hereafter until the repeal of the said By-laws of the Fourteenth day of March One thousand eight hundred and sixty-three and the Twelfth day of December One thousand eight hundred and sixty-three by some Act of the Legislature the Licenses and the per centage on Real Estate in such By-laws mentioned shall be levied and paid as therein mentioned and the same By-laws so far as all persons resident within the Municipal limits are concerned shall be taken and deemed to be law.

Repeal of 20 Section of "Victoria Incorporation Act 1863."

III. That so much of the Twentieth section of the Victoria Incorporation Act One thousand eight hundred and sixty-two as provides that "The By-laws unless disallowed in writing within seven "days by the Governor for the time being of Vancouver Island and "its Dependencies (or the person for the time being administering "the Government) shall be published in manner aforesaid and shall "within seven days from such publication have the force of Law "unless otherwise postponed in such By-law Provided that the "Governor for the time being may instead of vetoing any By-law "refer the same to the Municipal Vote and the said Municipal Vote "shall be taken in manner hereinbefore prescribed for the confirma-"tion or disallowance of a resolution anticipating future revenue of "the said Municipality" is hereby repealed.

Governor shall assent to dissent from or refer Municipal By-laws to Municipal Vote

IV. That the By-laws hereafter passed shall be transmitted to the Governor for the time being of Vancouver Island and its Dependencies for the assent of such Governor for the time being who may either assent dissent or refer the same to the Municipal Vote and the said Municipal Vote shall be taken in manner by the said Act prescribed for the confirmation or disallowance of a Resolution anticipating future Revenue of the said Municipality.

Short Title.

V. This Act may be cited as "The Act for the Enforcement "of the Municipal By-laws of the City of Victoria, 1863."