

# SHERIFF'S PRECEPT.

I, **JAMES THOMPSON**, of **PERTH**, in the County of Lanark, Esquire, **SHERIFF** of the United Counties of Lanark and Renfrew :

TO  
of the

*W. Cannon*  
*H. Knight Esq*

Township  
and

Town Clerk of the Corporation  
of *Westminster*  
*Joseph Hayes*

Collector of the said Corporation, GREETING :

Whereas a certain Writ or Warrant of His Excellency the Governor General, to me directed, and in the words and figures following, that is to say—

“ PROVINCE OF CANADA.



“ By HIS EXCELLENCY THE RIGHT HONORABLE CHARLES STANLEY VISCOUNT MONCK, Baron Monck of Ballytramon in the County of Wexford, Governor General of British North America, and Captain General and Governor in Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

TO THE SHERIFF OF THE UNITED COUNTIES OF LANARK AND RENFREW, IN THE PROVINCE OF CANADA,  
GREETING :

“ WHEREAS, it is by the Eighty-Third Chapter of the Consolidated Statutes of Canada amongst other things in effect provided, in and by the Eighty-Eight Section thereof,—That a Sum equal to the amount of Five Cents in the Dollar on the assessed yearly value, or a like per centage on the interest at six per cent per annum, on the assessed value of all the assessable property in every Municipality which has raised money by Debentures issued under the Acts mentioned in the Preamble to the Eighty-Seventh Section thereof, shall be paid by such Municipality to the Receiver General, on or before the First Day of December, in the year one thousand eight hundred and fifty-nine, and every year thereafter, unless and until the total amount in Principal and Interest, payable by such Municipality to the Receiver General, under the said Acts by reason of such Loan, have been paid and satisfied, or a smaller sum shall be sufficient to satisfy the same in any year, in which case such smaller sum only shall be paid.

“ And it is further in effect provided in and by the Eighty-Ninth Section thereof, that the sum to be raised under the last recited Section, in any Municipality shall never be less than the sum which the said per centage on the assessed value of the assessable property in such Municipality according to the Assessment Rolls for the year one thousand eight hundred and fifty-eight, in the same Municipality would have produced; But if in any year the assessed value of the assessable property in such Municipality be less than it was in the year one thousand eight hundred and fifty-eight, the rate to be paid under the last recited section to the Receiver General shall be so increased as to make the sum so payable equal to what it would have been at the rate in the hereinbefore recited Section mentioned on the assessed value of the year one thousand eight hundred and fifty-eight. But the said rate shall always be payable on any increased assessed value over that of the year one thousand eight hundred and fifty-eight.

“ And it is further in effect provided by the Ninety-First Section thereof that the sum aforesaid shall be instead of the payments which the Municipality would otherwise be bound to make to the Receiver General under the Acts thereinbefore mentioned; but if it be not paid as thereinbefore required, the Municipality shall be held to be in default, and shall be liable to be dealt with in the manner provided by the Act now partly in recital with regard to Municipalities in default.

“ And it is further in effect provided by the Sixty-Fifth Section thereof that in case the Receiver General certifies to the Governor that any Municipality is in default for any sum of money which ought to be paid by the Treasurer thereof to the Receiver General, the Governor may, if he sees fit, at any time after the expiration of three months from such default, issue his Warrant to the Sheriff, directing him to levy a rate as in the said Act now partly in recital is mentioned.

“ And whereas the Acts in the Act hereinbefore partly recited, mentioned and referred to, are an Act passed in the Sixteenth year of Her Majesty's Reign, Chapter 22, intituled: ‘An Act to establish a Consolidated Municipal Loan Fund for Upper Canada,’ and certain subsequent Acts, amending and extending the same.

“ And whereas it is represented to me that under the said Act, intituled: ‘An Act to establish a consolidated Municipal Loan Fund for Upper Canada,’ or some or one of the said subsequent Acts amending and extending the same, the Corporation of the United Counties of Lanark and Renfrew raised money by Debentures issued thereunder, but the said Municipality has not paid as by the said Act hereinbefore partly in recital is required, on or before the First day of December in the year one thousand eight hundred and sixty-one, a sum equal to the amount of Five Cents in the Dollar, on the Interest at six per cent per annum, on the assessed value of all the assessable property in the said Municipality; but the said Municipality is in default thereof.

“ And whereas the Honorable William Pearce Howland, Receiver General of the Province of Canada, has in pursuance and under the authority of the hereinbefore in part recited Act, certified to me the Governor General, that the Municipality of the Corporation of the United Counties of Lanark and Renfrew is in default for the following sum of money, which ought to be paid by the Treasurer thereof to him, the said Receiver General, that is to say; for the sum of Thirteen Thousand Nine Hundred and Seventy-Eight Dollars and Seventy Cents, being the sum equal to the amount of Five Cents in the Dollar on the interest at six per cent per annum on the assessed value of all the assessable property in the Municipality, and payable by the Corporation of the United Counties of Lanark and Renfrew to the Receiver General on the first day of December in the year One Thousand Eight-Hundred and Sixty-One; but which sum nevertheless is still due and unpaid as aforesaid. And Whereas three months have expired and elapsed since such default, and it seems fit to me that my Warrant should be issued as herein contained.

“ Now Therefore Know Ye, that I, THE RIGHT HONORABLE CHARLES STANLEY VISCOUNT MONCK, being Governor General of the Province of Canada, in virtue of the power and authority in me vested as Governor as aforesaid, in and by the hereinbefore in part recited Act, do by this my Warrant direct you the said Sheriff of the United Counties of Lanark and Renfrew, to levy a rate of Five Cents, in the Dollar on the interest at Six per cent per annum on the assessed value of all the assessable property in the Municipality of the corporation of the United Counties of Lanark and Renfrew, and that in accordance with the said Act, you shall, after deducting thereout the same costs as those to which you would be entitled for executing a Writ of Execution for a like sum, pay over the nett proceeds to the Receiver General, and return the surplus (if any) to the Municipality according to Law. And for so doing this is your Warrant and Authority.

“ Given under my Hand and Seal at Arms, at the City of Quebec, this Twenty-Fourth day of December in the year of our Lord one thousand eight hundred and sixty-three, and in the twenty-seventh year of Her Majesty's Reign.

“ By Command  
(Signed,) A. J. FERGUSON BLAIR, } (Signed), MONCK.”  
Secretary.” }

has been delivered to me, the said Sheriff, in due form of Law to be executed.

And Whereas I, the said Sheriff, did on the Nineteenth day of February, A.D. 1864, deliver to the Treasurer of the said United Counties of Lanark and Renfrew, a copy of the said Writ or Warrant, as by Law required, with a statement of the amount required to satisfy the same. And Whereas the said sum has not, nor has any part thereof, been paid to me, as required by the exigency of said Warrant and proceedings thereon taken.

Now Know Ye, that I, the said JAMES THOMPSON, Sheriff as aforesaid, do by virtue of my said Office of Sheriff, and of the said Warrant, and of the Statute in that case made and provided, hereby require you, the said Collector, forthwith to levy within your jurisdiction the rate of Five Cents in the Dollar on the interest at six per centum per annum, on the assessed value of all the assessable property in the said Municipality of the Township of *Westmeath* and more particularly set forth in the annexed Roll; for the purpose of defraying such sum due as hereinbefore recited, at the time and in the manner by law required in respect of the general annual rates.

And I do further, by the authority aforesaid, require and command you, the said Town Clerk, and you the said Collector, that you do cause to be entered upon the Collector's Roll for the current year, for the said Municipality of the *Westmeath* Township of a column headed "Execution Rate for the Provincial Government against the United Counties of Lanark and Renfrew in respect to Loan Fund Debentures."

And that you, the said Collector, do return this Precept, and the Rate so levied, as required in and by the said annexed Roll and by this Precept, within the time you are by law required to make a return of the general annual rate for the current year.

Witness my Hand and Seal as Sheriff as aforesaid, at Perth, this *Leuth* day of *May* A.D. one thousand eight hundred and sixty-four.

*Jas Simpson*

Sheriff of the United Counties of Lanark and Renfrew.

## DIRECTIONS, & c.

1. The Clerk and Collector will observe that the said rate of five cents on the dollar is to be levied on the ANNUAL, not the ACTUAL, assessed value.

2. The Clerk, Assessors and Collectors are required to aid and assist the Sheriff in the premises by virtue of 22 Vic., Chapter 54, Section 221; Clause 6th reads as follows:—

"6. The Clerk, Assessors and Collectors of the Corporation shall, for all purposes connected with carrying into effect, or permitting or assisting the Sheriff to carry into effect, the provisions of this Act, with respect to such Executions, be deemed to be Officers of the Court out of which the Writ issued, and as such shall be amenable to the Court, and may be proceeded against by Attachment or otherwise, to compel them to perform the duties hereby imposed upon them."

3. Particular attention is requested to the heading of the column on the Collector's Roll as directed in the foregoing Precept. In cases where before the service of this Precept a column for the full amount has been placed on the Roll for the purpose of satisfying this claim by authority of the County Council, the Collector and Clerk need only add the proper heading. If the Roll be not complete, or amount insufficient, the Collector and Clerk will see that the rate is struck and extended against each rate-payer in the proper column and under the proper heading.

# ROLL.

---

**For the**

**Township of**

*Westmeath*

Total assessed value of Real and Personal Property of said Township \$ *139597*

Annual value at 6 per cent - - - - - \$ *8376*

Rate to be levied, five cents in the dollar of said annual value, which  
rate will produce the amount required, viz. : - - - - - \$ *418.80*

Shaw's Receipt

1864

418-80