

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1857. Toronto: Stewart Derbshire & George Desbarats, 1857.

20 Victoria – Chapter 130

**An Act to afford relief to the sufferers by the late fire at Three-Rivers, by authorizing a loan on the credit of the Consolidated Municipal Loan Fund, to enable them to rebuild the houses and other buildings destroyed by the said fire. Assented to 10th June, 1857.**

Whereas in consequence of the disastrous fire, which consumed more than one hundred houses. and other buildings, on the fifteenth day of November last, in the Town of Three-Rivers, a large amount of property was destroyed; And whereas the majority of the persons who suffered on that occasion have lost all or nearly all their property, and cannot, without assistance, rebuild their houses and other buildings so destroyed; And whereas the said Town of Three-Rivers has by its petition to the Legislature declared that it is ready to become security for any amount not exceeding the sum of fifteen thousand pounds, to enable the said persons to re erect their houses and other buildings which have been so destroyed; And whereas by the Act of the Legislature of this Province, passed in the sixteenth year of Her Majesty's reign, intituled, *An Act to establish a Consolidated, Municipal Loan Fund for Upper Canada*, and also, by the Act of the Legislature of this Province, passed in the eighteenth year of Her Majesty's reign, intituled, *An Act to extend and amend the Act to establish a Consolidated Municipal Loan Fund for Upper Canada by applying the same to Lower Canada, and for other purposes*, the Municipality of the said Town of Three-Rivers has a right, with other Municipalities in Lower Canada, to obtain a share of the Consolidated Municipal Loan Fund for Lower Canada, subject to the conditions prescribed by the two Acts hereinbefore cited; And whereas in consideration of the total value of the real property in the Town of Three-Rivers, the said Municipality could obtain out of the said Fund a sum-exceeding fifteen thousand pounds: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. In any loan which the Municipality of the Town of Three-Rivers, or the said Town of Three-Rivers, may effect out of the Consolidated Municipal Loan Fund for Lower Canada, under the provisions of the Acts cited in the preamble to this Act, or of any other Act amending or modifying the same, it shall be lawful for the Municipal Council of the Municipality of the said Town, or for any other Municipal Council of the said Town which may be established under a special Act of the Legislature, to advance and loan out of the moneys which may be so borrowed, a sum not exceeding fifteen thousand pounds, to the persons whose houses or other buildings were destroyed by the said fire, their heirs or assigns, to assist them in re-building or completing the same, subject to such obligations, conditions and restrictions, and in such amounts, as the said Municipal Council may think fit; and the Government of this Province may loan to the said Municipality to the extent of the said sum for the purpose above mentioned, notwithstanding the provisions of the said Acts cited in the preamble to this Act, with respect to the purposes for which such loans may now be effected.

II. With a view to the recovery, preservation, security, and repayment of the said sums of money so loaned to the said proprietors in virtue of this Act, the said town of Three-Rivers and the Municipal Corporation of the said town to be established in virtue of any special Act of the Legislature, shall have

a first privilege over all other privileges, hypothecs, and guarantees already or hereafter to be charged upon the value of the buildings to be erected with the said moneys, and upon the increase in the value of the said lands by reason of the erection of the said buildings, and the oilier improvements which may be effected with such money, and also a general hypothec upon the said lands, which shall rank from the date of the obligations entered into in virtue of the foregoing; and it shall in no case be necessary to conform to any of the provisions of the Registry Laws of Lower Canada, nor of any other law or laws prescribing any conditions or formalities other than those mentioned in this Act, and the said privilege and hypothec shall be preserved without any other formalities, and without it being necessary that the said obligations or other documents be enregistered in a registry office.

III. All the buildings lo be erected, or the erection of which shall be completed by the said proprietors upon the lots on which those which, were burnt had been previously erected as aforesaid, subsequently to the passing of this Act, shall be presumed to have been so completed and erected out of the moneys so loaned, in virtue of this Act, any law, custom, or usage to the contrary notwithstanding; Provided always, that it shall be lawful for any party who shall pretend that such erections and improvements have been erected with funds other than those mentioned in this Act, to prove his assertion in this respect, by such documents and other legal proof as the law requires.

IV. This Act shall be a Public Act, and the Interpretation Act shall apply thereto.