

otherwise ; but all the laws of that part of the Province called Lower Canada, with respect to the protection of immoveable property under seizure, and with respect to the filing of oppositions to, and after the sale of lands or immoveable property, to the payment, return and distribution of the money, to the re-sale of such immoveable property at the *folle enchère* of any purchaser, and to the obtaining possession of any such immoveable property after sale, shall be applicable to the proceedings authorized by this Act ; and the provisions of all laws and ordinances of Lower Canada, or of this Province, regulating the sale of real estate, and the judicial proceedings relative thereto, are, in so far as applicable and not otherwise provided for by this Act, hereby extended to all proceedings to be had under this Act ; and if it be not otherwise herein directed, all such proceedings, in so far as may be, shall be conducted in like manner as proceedings under ordinary Writs of Execution, and the deed to be given by the Sheriff shall have the like effect as a deed given under an ordinary Writ of Execution ; Provided always, that the Sheriff of the District shall, in addition to his disbursements, be entitled to deduct only One per centum commission from the gross proceeds of sale.

III. And be it enacted, That every such Society shall have power to forfeit and declare forfeited to the said Society, the shares of any member who may neglect or be in arrear to pay such number of instalments as may be or are fixed by any stipulations, or by law ; and that every such Society may pursue the same course, exercise the same power, and take and use the same remedies to enforce the payment of any debt or demand due to such Society, as any person or persons, body corporate or politic, may now by law take or use for such purpose.

IV. And whereas doubts have arisen as to the construction of the first and tenth Sections of the Act hereby amended, with respect to the right of any such Society to loan and advance money on property and estate, actually belonging to and acquired by the borrower, at the time of such borrowing and advance, and it is expedient to remove such doubts ; Be it therefore enacted and declared, and it is therefore declared to have been and to be the intention of the said Act, That every such Society should have the power to advance, and every such Society is hereby authorized to advance in the usual manner, moneys on any real estate whatsoever of any member of the said Society, as well for the actual purchase of the same and for the erection of buildings thereon, as generally upon the security of any real estate belonging to any such member at the time of his borrowing such moneys, and to take and receive a mortgage, hypothec or assignment of all such real estate whatsoever in security for such advances, on the same conditions and with the same privileges in all respects as any other real estate by the said Act, and by this Act authorized and required to be mortgaged, hypothecated or assigned ; and further, that all securities heretofore taken for moneys advanced in the manner above mentioned, shall be valid and binding on the parties to all intents and purposes whatsoever, and in the same manner as if taken under this Act ; and that all or any person or persons whosoever, whether capitalists or otherwise, shall be at liberty to become members of any such Society ; and that copartners and corporate bodies may hold shares therein, in same manner as single individuals.

V. And be it enacted, That this Act shall be a public Act, and as such be judicially taken notice of by all Judges and Justices, and other persons whomsoever, without being specially pleaded.

#### C A P . X X I V .

An Act to provide for defraying the expense of the River Police of Montreal.

[ 2d August, 1851. ]

**W**HEREAS it is expedient to provide for the payment of such additional members of the Police Force established under the Ordinance of the Legislature of Lower Canada, passed in the second year of Her Majesty's Reign, and intituled, *An Ordinance for establishing an efficient system of Police in the cities of Quebec and Montreal*, as it may be found necessary to employ more especially in the Harbour and Port

Certain provisions extended to proceedings under this Act.

Proviso : Sheriff's poundage.

Forfeiture of shares on which instalments are not paid.

Doubts under Sects. 1 and 10 of the amended Act recited.

The said doubts removed.

Any person or corporation may be a member of any such society.

Public Act.

Preamble.

2 Vict. c. 2.

Port of Montreal : 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 out of any money received for tolls, rates and wharfage dues, by the Commissioners for the improvement and enlargement of the Harbour of Montreal, and remaining in their hands in any year after defraying all the special charges payable out of the same during such year, it shall be lawful for the Governor to direct the said Commissioners to pay over to such officer or person as he may designate, such sum as may be required to defray the expenses attending the employment of such additional members of the said Police Force, as it may have been found necessary to employ during such year to act more especially as constables in the harbour and port aforesaid; the number of such additional members of the said Police Force to be so employed, and the remuneration to be allowed for their services, having been, previously to their employment, determined by the Governor in Council; and the officer or person to whom such sums shall be paid by the said Commissioners shall apply the same to the payment of the expenses aforesaid, under such instructions as he shall receive from the Governor in that behalf, and shall account for the same in such manner and form as the Governor shall direct; and the due application of the said money shall be accounted for to Her Majesty through the Lords Commissioners of the Treasury for the time being, in such manner and form as Her Majesty shall direct.

Expenses of River Police at Montreal may be paid out of Harbour dues, after paying all prior charges thereon.

## C A P. X X V.

An Act to provide for defraying the expense of the River Police at Quebec.

[ 2d August, 1851. ]

**W**HEREAS the expense of maintaining and paying the members of the Police Force acting as Constables in the Port of Quebec, under the provisions of the Ordinance of the Legislature of the Province of Lower Canada, passed in the second year of Her Majesty's Reign, and intituled, *An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal*, has been heretofore defrayed by means of the voluntary contributions of the owners and masters of vessels trading to the Port of Quebec, and of merchants and others interested in the trade of the said port; And whereas it is expedient that provision should be made for raising a fund to defraying such expenses in future: 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 master or commander of every vessel of the burthen of one hundred tons or more, entering at the Port of Quebec from any port or place situate beyond the eastern limits of this Province, or clearing at the said Port of Quebec for any port or place situate beyond the eastern limits of this Province, shall, over and above all other sums payable under any Act or Law now in force or hereafter to be enacted, pay to the Collector of Her Majesty's Customs at the Port of Quebec, a sum equal to Three Farthings for every ton of the registered measurement of such vessel.

Preamble.

Ordinance L. C. 2.  
Vict (1) c. 2.

Tonnage duty imposed on vessels entering at or clearing from the Port of Quebec.

II. And be it enacted, That the Collector or other Officer of Her Majesty's Customs at the Port of Quebec, shall not grant any entry inwards, or a clearance outwards, to any vessel of the burthen of one hundred tons or more, for or from any port or place situate beyond the eastern limits of this Province, unless and until the master or commander

Entry or clearance not to be granted to any vessel until such duty be paid.