

costs he was commanded to levy, and if there be any surplus after satisfying the same, the said surplus shall be paid back to the Treasurer and form part of the Sinking Fund for the extinction of the said Consolidated Debt, or if there be no part of the said debt for which a Sinking Fund is required under this Act, then such surplus shall be applied to the general purposes of the said Corporation.

Disposal of surplus.

IX. Provided always, and be it declared and enacted, That nothing herein contained shall be construed to impair or affect any special privilege or hypothec granted by the Ordinance hereby amended or by any other Acts, to the holder of any Debenture or Corporation Bond issued before the passing of this Act, forming part either of the said "General Debt," or of the said "Water Works Debt" of the said Corporation, or any remedy which without this Act any such holder would have to recover the principal or interest of such Debenture or Corporation Bond, or in any way to relieve the said Corporation from the obligation to make provision by all lawful means for the payment of the same; and that no further provision which the Legislature of the Province may deem it expedient to make for enforcing the provisions of this Act, or the due payment of the principal and interest of any Debenture or Corporation Bond whether issued before or after the passing of this Act, or of any annuity secured by any Corporation Bond, shall be deemed an infringement of the privileges of the said Corporation, or of any citizen or member thereof.

Act not to affect the privilege of any present creditor of the City.

Legislature may make further provision for ensuring payment of City debt.

C A P . C C X X X I I I .

An Act to provide a remedy against the Corporation of the City of Quebec in case of injury to property by any mob or during riots in the said City.

[Assented to 14th June, 1853.]

WHEREAS it is right to provide means for assessing the Citizens residing in the City of Quebec, for damages arising from injury to property by any mob or during riots therein: 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 it shall be lawful for the Council of the said City of Quebec, at any meeting or meetings of the said Council at which not less than two thirds of the Members thereof shall be present, to make By-laws which shall be binding on all persons for the following purpose, that is to say: For imposing a special assessment over and above all other rates or

Preamble.

City Council may make By-laws for raising money to pay damages to property by rioters,

Proviso: if they fail so to do, the owner may recover such damages against the City.

assessments which the said Council are empowered to impose, to meet and defray the expence of indemnifying the proprietor of any building or buildings or other property whatsoever, that may be demolished, destroyed or deteriorated in value by any mob, tumultuous assemblage or riotous persons whomsoever in the said City; Provided that in the event of the demolition or destruction of or injury or damage to any property in the said City by any mob, tumultuous assemblage or rioters, then if the said Council omit to provide, by such special assessment, to defray the expence of indemnifying the proprietor thereof within six months after the destruction or injury of the said property, the Corporation of the Mayor and Councillors of the City of Quebec, shall be liable to pay the same, and the proprietor of the property destroyed or injured may recover the amount of the damages sustained by the destruction or injury thereof, by action against the said Corporation.

Council may pay damages done within the last three months.

II. And be it enacted, That it shall be lawful for the Council of the said City, if they shall think proper, to pay out of any unappropriated moneys belonging to the said Corporation, the amount of any damages which may have been done to any property in the said City, by any mob, tumultuous assemblage or riotous persons, at any time during the three months next preceding the passing of this Act.

Recital.

Police Force under 2 V. c. 2, to be under control of Corporation.

III. And whereas the placing of the Police Force at Quebec under the control of the said Corporation, will the better enable them to prevent the demolition and destruction of property as aforesaid: Be it therefore enacted, That the Police Force appointed and sworn at Quebec, under the provisions of the Ordinance intituled, *An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal*, shall from and after the passing of this Act, be under the exclusive control of the Mayor and Councillors of the said City of Quebec, and that the said Councillors shall be, *ex officio*, Justices of the Peace during their continuance in office as such Councillors.

Corporation not liable for damages to building where lectures, &c., take place without license.

IV. And be it enacted, That whenever any lecture, representation, performance, exhibition or other public meeting, for admission or entrance to which money shall be required or paid, shall take place, the said Corporation shall not be liable for any demolition or destruction of property at the place where such lecture, representation, performance, exhibition or other public meeting shall take place; unless the permission of the Mayor or of the said Council shall have been first had and obtained.