

No. 3.

Distress Warrant for Assessment Dues.

Province of Canada, }
 District of Three-Rivers. }

The Corporation of the City of Three-Rivers, to wit :
 To any of the Sworn Bailiffs in the District of Three-Rivers,
 of the Superior Court for Lower Canada.

Whereas (*name of debtor*) has been required by the Secretary-Treasurer of the City Council of Three-Rivers, to pay to him for and on behalf of the said Corporation, the sum of £ , being the amount due by him to the said Corporation, as appears by the Collection-Roll for the year 18 ; And whereas the said A. B. has neglected and refused to pay to the said Secretary-Treasurer, within the delay required by law, the said sum of ; These are, therefore, to command you forthwith to make distress of the goods and chattels of the said , and if within the period of eight days after the making of such distress, the sum above mentioned, together with the reasonable charges of the said seizure, be not paid, that then you do sell the said goods and chattels so by you detained and do pay the moneys arising from such sale to the Secretary-Treasurer of the said Council, and if no such distress can be made for want of property liable thereto, that then you do certify the same unto me in order that such proceeding may be had therein as to law doth appertain.

Given under my hand and the seal of the said Corporation,
 at Three-Rivers, this day of , in the
 year of our Lord one thousand eight hundred and .

Mayor of the said Corporation.

C A P . C X X X .

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.]

Preamble.

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

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:

16 V. c. 22.

18 V. c. 13.

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.

Municipal Council of Three-Rivers may lend not more than £15,000 out of any moneys to be borrowed under the said Acts, to parties whose property was destroyed by the late fire, to assist them in re-building.

And Government may lend the said sum to the Corporation.

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

Corporation to have a first privilege on the increased value of the property, and have

a general hypothec on the land itself.

Registration not required to preserve the same.

Prestumption in favor of the hypothec of the Corporation.

Proviso : Such presumption may be disputed.

Public Act.

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 other 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 registered in a registry office.

III. All the buildings to 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.

C A P . C X X X I .

An Act to incorporate the City of St. Hyacinthe.

[Assented to 10th June, 1857.]

Preamble.

WHEREAS it has become necessary to confer additional powers upon the Corporation of the Town of St. Hyacinthe, established by the sixteenth Victoria, chapter two hundred and thirty-six: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Acts 13 & 14 Vic., ch. 105, and 16 Vic., ch. 236., repealed.

I. The Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, chapter one hundred and five, intituled, *An Act to provide more fully for the incorporation of the Village of St. Hyacinthe*, and the Act passed in the sixteenth year of Her Majesty's Reign, chapter two hundred and thirty-six, intituled, *An Act to make more ample provision for the incorporation of the Town of St. Hyacinthe, and to extend its limits*, are hereby repealed, and the inhabitants of the City of Saint Hyacinthe