

to six per cent. interest, till demanded by the party claiming the same. Sheriff, after the judgment and distribution pronounced thereon by the said Court, shall, within fifteen days thereafter, be paid over by the said Sheriff to the said Mayor, Alderman and Citizens of the City of Montreal, to remain in their hands, at the legal interest of six per cent., till demanded and claimed by the party or parties having a right to demand and claim the same. 5

Tenant liable to pay assessment, with right to deduct amount paid from rent. LXXIX. And be it enacted, That any rate or assessment with which any real estate within the said City may be legally rated or assessed, may be exacted and recovered, either from the owner of the real property so rated or assessed, or from any person occupying the same or any part thereof, either as a tenant or otherwise; and when any such rate or assessment shall be paid by any tenant not bound to make such payment, by the lease or other agreement under which he holds or occupies such real estate, such tenant shall have the right to deduct the sum so paid by him, from the rent payable by him in respect of the enjoyment or occupation of the real estate so rated and assessed. Provided always, that a judgment obtained or execution issued against either party, proprietor or tenant, shall not debar or hinder proceedings against the other party for payment of the said rate or assessment, if the same cannot be had or obtained from the party first proceeded against. 10 15 20

Privilege granted to secure five years assessments. LXXX. And be it enacted, That all debts, that, from and after the passing of this Act, shall become due to the said Corporation, for any rate or assessment, assessed or imposed on any real or personal property, or both, within the said City, or upon the owners or occupiers thereof, in respect of such property, or for duty on business, or for any other rate, tax or impost levied under and by virtue of any By-Law of the said Council shall be privileged debts, and shall be paid in preference to all other debts, excepting debts due to Her Majesty, and shall, in the distribution of the proceeds of property, whether real or personal, of any person liable to pay any such debt, be so held, considered and adjudged, by all Courts of Justice, and by all Commissioners or other persons having jurisdiction in Bankruptcy in Lower Canada: Provided always, that the privilege hereby granted shall not extend beyond the rates or assessments due for five years, that is to say, for the current year when such claim may be made, and for the five years next preceding that year. 25 30 35 40

Witness summoned on enquiry at facts may be examined on oath. LXXXI. And whereas many cases arise of enquiries into facts before the said Council, as well as before Committees thereof when the interests of justice would be promoted, if the witnesses brought forward could be examined on oath, and power were given to the said Council and Committees to compel the attendance of witnesses before them: Be it therefore enacted, that upon any enquiry or investigation being entered into before the said Council or any Committee thereof, other than those already provided for by law, it shall be lawful for the Mayor of the said City, or other person representing him, to issue his summons requiring any person to appear before the said Council, or any Committee thereof as aforesaid, for the purpose of giving evidence touching the said enquiry or investigation, and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the said Council or Committee, or if any person appearing in obedience to such summons, shall refuse to be examined on oath touching 45 50 55