

tain payment from the borrower by instituting an action against the the borrower in default, in the Superior Court for Lower Canada, within a period not exceeding in any case thirtydays from the day appointed for the payment of such sum, and prosecuting such action, and in the event of the said Trust and Loan Company of 5 Upper Canada not having obtained payment by such means from the borrower at the expiration of nine months from the date of such default, then and in that case the said Corporation of the City of Montreal shall thenceforth not be entitled to require the further discussion by the said Trust and Loan Company of Upper Canada 10 of the personal or real estate of the borrower, and shall be bound as such surety (*caution*) forthwith to pay, on demand by the said Trust and Loan Company of Upper Canada, the amount owing from such borrower in default for principal, interest, and premiums of insurance on his property, with the costs and other expenses in- 15 curred by reason of such default, notwithstanding anything in the said recited Act to the contrary; and that on the payment thereof the said Corporation of the City of Montreal shall be substituted to all the rights, privileges and authority, *noms, raisons, droits et actions*, of the said Trust and Loan Company of Upper Canada, 20 and shall be authorized in the name of the said Trust and Loan Company of Upper Canada to take up the *fait et cause* of the said Trust and Loan Company of Upper Canada, and to continue and prosecute to final judgment and execution all writs and proceedings theretofore sued out and instituted by the said Trust and Loan 25 Company of Upper Canada, for the recovery of the money owing by the said borrower, and then pending before any Court of Original Jurisdiction, or Court of Appeals, in this Province, or elsewhere.

Right of the said Corporation on after paying.

Loans may under certain circumstances be made to sufferers by the fire of June, 1852.

II. And be it further enacted, That if the said Corporation of 30 the City of Montreal should not be able to furnish a sufficient number of applicants, being sufferers by the said fire, for loans to absorb and take up the whole of the said sum of One hundred thousand pounds, then and in that case it shall and may be lawful for the said Corporation of the City of Montreal to provide 35 applicants for loans upon the balance of the said sum, who shall not have been sufferers by the said fire, but who have been and are sufferers by the conflagration which occurred in the said City of Montreal in the month of June, 1852; And in the event that the said Corporation of the City of Montreal should not be enabled 40 to furnish a sufficient number of applicants, being sufferers by the said last mentioned fire of the month of June last, to absorb and take up the balance so remaining as hereinabove mentioned, then and in that case it shall and may be lawful for the said Corporation of the City of Montreal to take from the said Trust and Loan 45 Company of Upper Canada, the remainder or residue of the said

Or for other purposes of the Corporation.