

T

375.

BILL.

An Act to amend the provisions of the several Acts for the Incorporation of the City of Montreal.

Received and read first time, Thursday, 24th March, 1853.

Second reading, Tuesday, 29th March, 1853.

[250 Copies.]

HON. J. BOURRET.

BILL.

To amend the provisions of the several Acts for the incorporation of the City of Montreal.

(see further page 1059.)

WHEREAS the Corporation of the said City having by their petitions, prayed that divers alterations should be made in the provisions of the Acts incorporating the said City, and it is expedient to grant the prayer of the said Petition;
 5 Be it therefore enacted, &c.,

Preamble.

And it is hereby enacted by the authority aforesaid, That from and after the passing of this Act, the delay for the production and deposit by persons qualified to vote for the election of Mayor and Councillors for the said City, of their certificates of qualification to vote shall be made between the hours of ten in the forenoon and four in the afternoon of the last six judicial days in the month of February of each year.

Delay for deposit of certificates of qualification.

II. And be it enacted, That it shall be the duty of the Council of the said City, and they are hereby empowered, at each and every quaterly meeting of the said City, to elect from among themselves a member to act as Mayor in the event of the absence or sickness of the Mayor of the said City, or in the happening of any vacancy in the office of Mayor of the said City, and such member so elected shall, during such absence or sickness, or vacancy, have and exercise, until the ensuing Quarterly Meeting, all the power, authority and rights, vested by law in the Mayor of the said City.

Election of Mayor pro tempore.

III. And whereas in and by the seventy-seventh section of the Act passed in the Session of Parliament held in the fourteenth and fifteenth years of Her Majesty's Reign, intituled, "An Act to amend and consolidate the provisions of the Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal," in which it is provided that a privilege shall be granted to secure five years assessment; And whereas doubts exist as to the nature and extent of the said privilege as regards third persons having mortgages or other privileged claims upon the real property affected thereby; Be it declared that the privilege of the said Corporation was not intended to have and shall have no priority or preference over all or any mortgage or privileged claims of third parties upon the real property of any person liable for such debts, save and except of the assessment actually due and owing upon or by such real property, but the proceeds of the said real estate sold and

Extent of privilege of Corporation for assessments on real property.

realized by justice, shall, after payment of such assessment actually due thereon, be distributed among such mortgage or privileged claimants according to their respective legal rights, and the balance, if any, to the said Corporation on account of or for the said debt.

5

Repeal of all provisions inconsistent with this Act.

IV. And be it enacted, That all and every the provisions of any law in force in respect of the incorporation of the said City, inconsistent with the provisions of this Act, save as hereinafter mentioned, shall be and are hereby repealed from and after the passing of this Act.

10