

privileges in and by such by-laws granted to the said Wayagamack Pulp and Paper Company, Limited, are hereby ratified, confirmed and declared legal and valid.

Coming into
force.

2. This act shall come into force on the day of its sanction.

C H A P . 6 4

An act to amend the charter of the town of Maisonneuve.

[Assented to 14th March, 1911]

Preamble.

WHEREAS, the town of Maisonneuve, has, by its petition prayed that certain amendments be made to its charter, the act 61 Victoria, chapter 57, and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Waterworks'
extension,
&c.

1. The council may make arrangements with the Montreal Water and Power Company, its successors or assigns, as it may deem expedient in the public interest, to perform the work and supply the necessary materials for the extension of the water-works of the company, or give such works out by contract, with the consent of the company, for supplying water to the residents of streets recently opened in the town or to the parts thereof not now provided with water, in such manner and on such conditions as it may deem expedient ; such work shall not be considered as forming part of the company's general water-works system, as regards the said company and its privileged, hypothecary and chirographic creditors.

61 V., c. 57,
s. 59, am.

2. Paragraph 3 of article 59 of the act 61 Victoria, chapter 57, is replaced, by the following :

Regulation
of buildings,
&c.

" 3. Regulate the height, construction and the materials of all buildings, chimneys, chimney-stacks and other structures ; prevent the building of any that are not sufficiently solid, and provide for their demolition or summary destruction ; make all by-laws respecting plumbing, ventilation and light for buildings of all kinds, prescribe the depth to be given to cellars and basements, the method to be followed and the materials to be used in the construction of foundations and foundation walls, the manner of making drains and sewers, as well as the places where they shall be put, the thickness of common walls, division and outer walls, as well as the method to be followed

and the materials to be used in their construction, the dimensions for floor beams, stringers, pillars, columns, roofs, chimney-pipes and heating apparatus and the materials of which they shall be made ; regulate the architecture, dimensions and symmetry of buildings in certain streets, determine the kind of stores, residences, flats, tenements or lodgings, built in stone or solid brick or buildings encased in brick or stone, to be erected in certain streets and prohibit the erection of any building of a different class ; compel proprietors to submit the plans to, and to previously obtain a certificate in writing from, the building inspector or any other officer ; exact the fee fixed by the council for building permits when such certificate or permit is granted ; prevent the construction of buildings and edifices not in accordance with the by-laws, and cause at any time the erection of any building not in accordance with the by-laws to be suspended and order the demolition of the same if necessary. ”

3. Paragraph 4 of article 59 of the act 61 Victoria, chapter Id., s. 59, 51, is replaced by the following : am.

“ 4. Define the powers and duties of the building inspector, Powers, &c.,
of building
inspector, &c. and authorize him, as well as any other officer whom the council may appoint for such purpose, to issue, in consideration of a fee fixed by the council, permits for the construction and repairing of buildings ; require plans to be left at the department of the building inspector to be deposited in the archives, and authorize them to visit and examine and inspect in the performance of their duties, both outside and inside, any house or building in course of construction or undergoing repairs or finished, in order to adopt such preventive measures against fire or as may be deemed necessary for the safety of the employees and for public safety ; require that such dwellings shall have at least two exits with a stair-case down to the ground, and provide for the immediate demolition, after notice, of any building erected in contravention of the municipal by-laws. ”

4. The council shall have the right by by-law or resolution : Powers of
council.

1. To compel owners of dogs to take out a license and sub- Licenses for
dogs, &c.ject them to by-laws ; to prevent dogs from wandering about and authorize the summary destruction of stray dogs.

2. To make all by-laws deemed necessary to compel pro- Cleaning of
lanes, &c.prietors of private lanes to keep them clean and in a sanitary condition as well as in a good state of repair, and apportion the cost so incurred among the owners and occupants of such lanes, if such work is done by the council in their default ; and provide for the paving in stone, asphalt or other durable materials of all private lanes of the town.

Displaying of flags, &c. 3. To regulate or prevent the displaying of flags, banners and signs across streets, alleys and public places, and regulate, permit or forbid the construction and use of boardings for posting up signs along the streets, lanes and public places, on vacant lots or elsewhere.

Regulating blasting, &c. 4. To regulate blasting and the erection, setting up and operating of cranes, windlasses, hoists, elevators and other structures, apparatus and works of any kind, which might endanger human life or property.

Establishing markets, &c. 5. To establish markets and market places, or allow such to be established on obtaining a license, and make by-laws applicable thereto ; and fix the dues to be levied upon persons selling on such markets, food and products of any kind or on vehicles containing the same.

Business licenses, &c. 6. To exact the payment of a license for the plying of trades, industries, occupations, and all kinds of business, the payment whereof cannot be exact under the provisions of the charter, and in certain cases to divide such trades, industries, occupations and business into classes or categories for the purpose of determining the rate of the license.

Subdivision of lots. 7. To regulate the subdivision in the streets, of any lot within the limits of the town ; to prohibit such subdivisions when not in conformity with the general plan of the town.

Regulation of machinery, &c. 8. To regulate the installation, inspection and use of steam machinery and boilers, dynamos and all machinery driven by any motive power whatsoever ; to determine the competency of persons appointed to work them, the examinations they must pass, and the license or certificate with which they must provide themselves, and define the qualifications, rights and powers of the persons charged with such inspection and examination."

R.S.Q., 1888, 4560, 4590, replaced for town. 5. Articles 4560 and 4590 of the Revised Statutes, 1888, are replaced, for the town, by the following :

Fines for infringement of by-laws. " **4560, 4590.** The council may impose a fine not exceeding twenty dollars for the infringement of any municipal by-law of the town, and, upon default by the defendant of paying such fine and costs immediately or within a delay fixed by the court, imprisonment not exceeding one month.

Id. Such penalties cannot be inflicted by the court, unless they are enacted by the by-law which relates to them. When an infringement of this act or of a by-law of the council is continuous, it shall constitute a distinct offence for each day it lasts and the penalties imposed for such infringement may be recovered for each day."

Suspension. 6. The council may, at any time by resolution, suspend

or cancel any permit or license granted in virtue of the power of licenses, conferred upon it by law, on account of the bad conduct or &c. incompetency of the holder of such permit or license or of violation of any by law by him, without reimbursement by the corporation and without recourse against it by the said delinquent.

7. The following shall be prohibited in future: the establish- Prohibition of cattle-yards, &c.
ment, construction and management of cattle-yards, abat-
toirs, tallow-rendering establishments, candle factories, raw-
hide depots, establishments for boiling or burning bones, glue
factories, soap factories, tanneries and other unhealthy esta-
blishments within the limits of the town.

8. No person can act as constable or special detective Oath of con-
within the limits of the town, without previously taking an stables, &c.
oath as such before the mayor or the recorder.

A register of all constables and special detectives shall be Register of constables, &c.
kept by the secretary-treasurer and each of such constables
and detectives may exact from the latter a certificate establish-
ing that the formalities prescribed by this section have been
fulfilled. Such certificate shall be sufficient proof that the
said constables and detectives are empowered to act as such.
Each of such constables or detectives shall wear a badge to
be supplied by the town and the cost to be paid by him.

9. The town shall have its recourse in warranty against Recourse in warranty.
all persons through whose fault, imprudence, negligence or
unskillfulness, an accident has happened and for any damages
or compensation claimed.

10. In future, no factory, workshop, shop or ice-house shall License to build factories, &c.
be erected within the limits of the town unless previous per-
mission has been obtained from the council; the council shall
grant such permission, only after the interested party shall
have deposited in the hands of the secretary-treasurer, a plan
and specification of the building he proposes to erect, mention-
ing the place where it is to be erected and all the details that
the council may require.

11. The council is authorized to borrow the sums of money Loans for pavements.
necessary for laying permanent modern pavements in Notre-
Dame, Ste. Catherine and Ontario streets, throughout their
whole length ; on Lasalle street, from the river St. Lawrence
to Boyce street, and upon parts of streets where churches and
educational establishments are situated.

Before making such permanent pavements, every lot or Water, &c., connections
immoveable not yet connected with the water or gas system

before making pavements.

shall be so connected by the companies operating such franchise in the town ; the cost of such work shall be paid by the town to the said companies, but on behalf of the owner of the said lot and shall be recoverable from the latter with the same privileges and advantages as yearly taxes on immoveables.

Sewers, &c.

The council may, when it considers it adviseable, build or have built any sewers or branch sewers to drain land within the limits of the town and connect them with the main sewers; and may forthwith recover the cost of such work from all those obliged by law to pay the annual real estate tax, with all the privileges attached to the said tax.

Certain plan ratified.

12. The homologated plan of Sherbrooke street crossing lots 14, 17, 18, 22, 23, and 29 of the cadastre of the incorporated village of Hochelaga with a width of one hundred feet, made by Marius Dufresne surveyor, and dated the 12th December 1910, is declared legal to all intents and purposes and binding upon all parties interested.

Contribution to hospital.

13. The council is authorized to contribute, to the extent of twenty-five thousand dollars, in aid of the building of a hospital within the limits of the town. The council may also pay yearly a certain sum for the maintenance of such hospital, and to that end, make some arrangement with the Sisters of Providence or any other community. Such arrangements nevertheless shall be subject to the approval of the Lieutenant-Governor-in-Council.

Id. to library.

The council is also authorized to expend an amount of twenty-five thousand dollars in all, to organize a municipal library, complete the town hall and the municipal bacteriological laboratory.

Sewers in private streets, &c.

14. The council may, by by-law, order the making of sewers in any street or private lane, when the public health requires the same, and apportion the cost thereof among the owners of bordering properties, as if such work had been done in the public streets of the town.

R.S.Q., 1888, 4549 replaced for town.

15. Article 4549 of the Revised Statutes of Quebec, 1888 is replaced, for the town by the following :

Notice of deposit of roll, &c.

" 4549. The secretary-treasurer, after having completed the collection roll, shall give public notice, according to schedule A of this act, in which he shall announce that the general collection roll, or the special roll as the case may be, has been completed and is deposited at his office, and require all persons liable for the payment of the sums therein mentioned to pay the same at his office, within twenty days following the publication of such notice. "

16. The secretary-treasurer shall, before the 1st day of May of every year, prepare a statement containing a description of every immovable in the town on which there are due wholly or in partly at least two years arrears of the general taxes on immoveables, or on which any special tax or any part of the same is due, indicating the name of the owners as entered on the last special tax, assessment or valuation roll of the town, and further showing the amount due in each case, with the accumulated interest.

17. The secretary-treasurer shall afterwards send by registered letter to the domicile or place of business of the last owner inscribed on such roll, a statement showing the amount due, with a notice that the immovable will be sold by the sheriff, in default of payment within a delay of twenty days from the deposit of the notice in the post-office.

If, after the last valuation roll has been closed, the immovables no longer belong to the same owner, such notice may be sent by mail or served upon the last owner whose name appears in the registry office.

If the last owner entered on the valuation roll or at the registry office, has no known domicile in the Province of Quebec nor any known representative therein, the formality of a notice shall not be necessary.

If an inscription of a cadastral number or a subdivision number of the cadastre in the registry office does not indicate the owner of the immovable, or if the title to the immovable is not sufficiently clear to show who is the owner, the service or sending by mail of the statement and of the notice to the last owner entered upon the said list, shall be sufficient.

If the taxed immovable is entered upon the valuation roll as belonging to the succession of a deceased person or to co-proprietors, service of the notice and statement when sent by a registered letter to two of the heirs or legal representatives or two of the co-proprietors, shall be sufficient.

18. If the amount due is not paid within the delay of twenty days, the secretary-treasurer of the town shall send such statement duly certified by him to the sheriff of the district of Montreal, who, without the formality of minutes of seizure, shall proceed to sell all the immovables described in the said statement after publishing a notice as required by the following article.

19. The notice to be given by the sheriff as aforesaid, may be drawn up according to schedule "B" to this act, and shall mention all the immovables the sheriff is called upon to sell to pay the amount due the town, with interest and costs.

Contents of
notice.

It shall be sufficient to designate in such notice the immoveables by their cadastral numbers or by the subdivision number of the cadastral number of the official plan and book of reference, by adding thereto the word "part" when such immovable constitutes a portion of a lot belonging to the cadastral number or subdivision number, and adding thereto the name of the street and the civic number, if there be one.

Id.

The sheriff shall, nevertheless, in such notice, refer to the statement prepared by the secretary-treasurer of the town, in accordance with section 16.

Publication
of notice.

Such notice shall be published once, at least a month before the date fixed for the sale, in the *Quebec Official Gazette*, and also once in a daily English newspaper, and once in a daily French newspaper published in the city of Montreal, and shall be further posted up on the property advertised for sale, at least fifteen days before the date fixed for such sale, provided there be a building or a fence upon which the same may be posted.

Transmission
of copy of
notice to re-
gistrar.

20. Immediately after the publication of the aforesaid notice, the sheriff shall send to the registrar of the registration division where such immoveables are situated, a copy of the notice of the sale, as well as a statement indicating the immoveables to be sold, and the registrar shall proceed in such case as in all other cases of notices of seizure of immoveables made by the sheriff according to law.

Deposit by
highest bid-
der.

21. Whenever an immovable is offered for sale by the sheriff under the provisions of this charter, he shall exact from the highest bidder, and before final adjudication and disposal, a deposit of an amount equal to the amount of the immovable taxes or assessments for which such immovable is advertised for sale, with interest and costs, and, in addition, the approximate costs of the judgment of distribution to be drawn up by the prothonotary of the Superior Court. Nevertheless, if the bid be not sufficient to cover the amount of the said taxes and assessments, as well as the costs and interest, the deposit shall not exceed the amount of such bid.

Proceedings
if no deposit.

If the last bidder refuses or neglects to make such deposit, the sheriff shall at once again put up the immoveables for sale under the same conditions.

Provisions
governing
sales.

All recourse and procedure applicable to sales by the sheriff under writs of execution, as well as the legal effects thereof, shall also apply to sales made under this charter; all such proceedings shall take place before the Superior Court of the district of Montreal.

Dates of
sales.

22. The sales of immoveables shall take place on the 20th

of October of each year, or on the following juridical day, if such day be not a juridical day.

The immoveables shall be offered for sale separately in the order in which they are entered in the notice, and if no bid be made on the day of the sale, or if the immoveables cannot be sold on the day specified, the sale shall be adjourned to the following day and so on from day to day until they have all been sold.

The proceeds of the sale of each immoveable shall be sent by the sheriff to the Superior Court, to be distributed according to law.

Property sold for taxes may be redeemed by the owner or by his representative at any time during the two years following the date of the sale, upon payment to the purchaser by him of the amount paid for such property with, in addition, fifteen per cent of such sum.

23. No person employed by the town, shall, either directly or indirectly, bid on the said immoveables, or become the purchaser thereof. Should he do so such sale or purchase shall be null.

The secretary-treasurer of the town or any person designated by him may, nevertheless bid for or purchase, on behalf of the town, any immoveable so offered for sale in order to protect its interests.

24. If within five years from the date when such taxes becomes due, or within five years after any instalment becomes due, and within three years from the date when the yearly general taxes become due, the town has instituted judicial proceedings to recover the amount thereof by an ordinary action, the town's privilege shall be extended and shall apply to all special or general taxes which may become due from the date of the institution of such judicial proceedings and that of the final judgment. The judicial proceedings for the recovery of any tax shall be of a summary nature, notwithstanding any law to the contrary.

25. When proceedings are taken to set aside the valuation roll, the collection or special assessment roll, such proceedings shall have the effect of interrupting prescription and of extending the privilege as regards the taxes imposed by such rolls until final judgment upon such judicial proceedings.

26. The council is authorized to enter into any transactions and to make any arrangements with the Montreal Harbour Commissioners, which it may consider in the interest of the city respecting sewers emptying into the river St. Lawrence ;

and may also execute or cause to be executed any works relating to such arrangements or transactions.

Prolongation of certain sewer. The council is authorized to build or prolong the extension of the main sewer of First Avenue into the river St. Lawrence, through the jetty or graving dock which the Montreal Harbour Commissioners are building in front of the said First Avenue.

Emptying of sewers. To ensure the efficacy of the sewerage system built by the town under the authority of its charter and amendments thereto, the town may, as in the past, empty its sewers into the river St. Lawrence.

Certain rights saved. This section shall not affect the rights, privileges and powers of the Montreal Harbour Commissioners.

Arrangements with Montreal Industrial Exhibition Ass. **27.** Notwithstanding any law to the contrary the council is authorized to make any arrangement with the Montreal Industrial Exposition Association which it may consider proper for the purpose of assisting in the establishment of the said corporation and the holding of its exhibitions within the limits of the town.

Loans, &c. **28.** Notwithstanding any law to the contrary, the council may, for the purposes mentioned in this act, by by-law or resolution, authorize the effecting of loans by issuing bonds or debentures of the town, and such issues of bonds or debentures shall be exempt from the formalities enacted in such cases by the Revised Statutes, of 1888 or by the charter.

Approval of bonds, &c. The sale of all bonds or debentures which may be issued under this act, shall, before having force and effect, be approved by the Lieutenant-Governor in Council.

Certain articles not to apply. **29.** Articles 4550, 4551, 4552, 4553, 4554, 4557, 4558, and 4558a of the Revised Statutes, 1888, shall not apply to the town.

Saving clause. **30.** Nothing contained in this act shall affect vested rights and privileges nor pending cases.

Coming into force. **31.** This act shall come into force on the day of its sanction.

SCHEDULE A

Mentioned in section 15.

NOTICE TO RATE-PAYERS

Public notice is hereby given that the collection roll (general or special, *as the case may be*, specifying the purposes of such roll or rolls) of the town of Maisonneuve, has been made and is now deposited in the office of the undersigned, in the town hall.

All persons therein mentioned as liable to the payment of any taxes are hereby called upon to pay the amount thereof to the undersigned, at his office, within twenty days from this date, without further notice.

Secretary-Treasurer of the town of Maisonneuve.

Town Hall,

Maisonneuve,

19 .

SCHEDULE B

Mentioned in section 19.

NOTICE OF SALE OF IMMOVEABLES

Public notice is hereby given that the immoveables hereinafter mentioned, and more especially designated in a schedule deposited in my office on the _____ day of _____, 19____ will be sold by me at my office, in the city of Montreal, on the _____ day of _____, 19____, at ten o'clock in the forenoon

