

## CH A P. 72

## An Act to incorporate the town of Bromptonville

[Assented to 25th April, 1903]

**W**HEREAS the corporation of the village of Brompton Falls has, by its petition, represented that the provisions of the Municipal Code no longer suffice for the requirements of the inhabitants of the village of Brompton Falls, and has prayed to be incorporated as a town, in accordance with the provisions of chapter first of title eleven of the Revised Statutes;

And whereas it is in the interest of the rate-payers of the said village that the said petition be granted ;

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

## ORGANIZATION OF THE CORPORATION

**1.** The territory comprised within the present limits of the village of Brompton Falls, as hereinafter described, is erected into a town municipality, under the name of "The town of Bromptonville," and the inhabitants of the village are constituted a corporation under the name of "The Corporation of the Town of Bromptonville."

Territory erected into a town. Name. Corporation constituted. Name.

**2.** The town shall be separated from the county of Richmond for all municipal purposes and from the township of Brompton for all school purposes.

Separate from county of Richmond.

**3.** The territory of the town comprises :

Territory of town.

*Firstly* :—Those parcels of land situate in the said township of Brompton, bounded on the north-east by the centre of the river St. Francis, on the south-east by the division line between lots numbers thirty-one C, (31C), and thirty-one B, (31B), and the lots numbers thirty-two A, (32A), and thirty-two C, (32C), in the fourth range of the cadastre of the said township of Brompton ; on the south-west by the south-west line of the said lot thirty-one B (31B), and the continuation of the said line to lot number twenty-seven D, (27 D), in the fourth range, and on the west and north-west by a line crossing the said lot number twenty seven D, (27 D), to the division line between the lots numbers twenty-seven E, (27 E), and twenty-seven B, (27 B), and by the said division line between the said lots numbers twenty-seven E, (27 E), and twenty-seven B, (27 B), to the said division line between said lot twenty-seven E, (27 E), and lot number twenty-six C, (26 C) ;

thence along the said line to the north-east side of the line of the Grand Trunk Railway; thence following the line of the said railway to the east thereof in a northerly direction as far as the said river St. Francis, including lot number twenty-six E, (26 E), the whole in the fourth range of the said township of Brompton;

*Secondly* :—Those parcels of land situate in the said municipality of the said township of Brompton, and in the township of Stoke, bounded as follows: on the south-west by the centre of the river St. Francis; on the north-east by a line parallel to the concession line between the second and first ranges of the township of Stoke for a distance of six arpents from the true north-east part of the road known as the Sherbrooke road; towards the north-west by the division line between the north-west half and south-east half of lot number one in the first range of the township of Stoke, and on the south-east by the division line between lots numbers six and seven in the first range of the township of Stoke; the said parcels of land forming the south-west portion of the south-east half of lot number one, of the lots numbers two, three, four, five and six in the first range of the township of Stoke.

Existing  
*procès-  
verbaux*, &c.

4. All the *procès-verbaux*, valuation rolls, titles, statements of accounts due, by-laws, orders, lists, rolls, plans, resolutions, ordinances, agreements, undertakings and all municipal acts whatsoever, passed and consented by the council of the said village or that of the municipality of the township of Brompton, before the erection of the village of Brompton Falls, and still affecting the latter, shall continue to have full effect until they have been set aside, amended, rescinded or fulfilled.

Promissory  
notes, &c.,  
heretofore  
issued, &c.

5. All promissory notes or engagements whatsoever, subscribed, issued or contracted by the said councils, shall continue to have their legal effect, notwithstanding the passing of this act.

Town suc-  
ceeds village  
in all its  
rights.

6. The town of Bromptonville succeeds in all the rights, property, deeds and obligations of the village of Brompton Falls.

#### ANNEXATION OF NEW TERRITORY TO THE TOWN

Annexation  
of territory.

7. On petition of a majority in number and value of the proprietors of any territory adjacent to that of the town, addressed to the council, the latter, by by-law or by simple resolution, may enact and effect the annexation of such territory to the town to form part thereof.

The council may likewise annex any territory adjacent to Idem. any other already annexed.

From and after such annexation, the owners of land comprised within the territory annexed under this article, shall enjoy all the advantages, rights and privileges conferred by this act upon the inhabitants of the town, and shall be subject to the same duties and obligations as are imposed by the same act ; nevertheless such annexation cannot take place without the consent of the municipal council from which such territory is to be taken.

Rights of proprietors of annexed property.

Consent required.

8. Articles 78 to 92 inclusively of the Municipal Code shall apply to the town.

Law applicable.

#### TOWN COUNCIL

9. Article 4194 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4194, replaced for town.

Until the council shall, by by-law, have divided the town into wards, the council shall consist of a mayor, elected by the people for two years, and six councillors. The office of mayor of the village of Brompton Falls, and his seat as councillor, shall become extinct and vacant by the coming into force of this act ; and the first election of the mayor of the town shall be held in the meeting room of the municipal council, under the presidency of the secretary-treasurer of the council, or some other person whom the latter may appoint in writing. The nomination shall take place at nine o'clock on the morning, on the second Monday following the coming into force of this act, and the polling, if necessary, shall take place on the following Monday at the same hour.

Composition of council until divided into wards.

Present mayor.

First election of mayor.

Nomination.

The six other councillors of the village of Brompton Falls, in office on the coming into force of this act, shall remain in office as councillors of the town, until replaced in the following manner, to wit : at the session of the council held in the month of December next, 1903, two of the four councillors elected at the first general elections of the village of Brompton Falls, shall be designated by lot in the manner determined by the council, and shall be replaced in the following month of January. In the following year, the two others of the said four councillors shall be replaced, and in the following year the last two councillors elected for the village shall be replaced, and so on, in such manner that two councillors shall be replaced every year.

Present councillors.

Replacing of councillors.

10. When, by by-law, the council shall have divided the town into wards, the said council shall then consist of a

Composition of council

after division  
into wards.

Retiring of  
councillors.

mayor elected by the people, and of six councillors, if there be not more than three wards. When there shall be more than three wards, there shall be two councillors per ward, provided that there shall always be an equal number of councillors in each ward; the councillors, like the mayor, shall then be elected for two years, unless there be less than three wards, in which case the councillors shall be elected for three years. One councillor from each ward shall go out of office in January of each year. The councillor going out of office in the month of January following the coming into force of such by-law shall be designated by lot in the manner determined by the council in the previous month of December.

#### PERSONS QUALIFIED TO BE ELECTORS

R. S., 4227,  
replaced for  
town.

Qualification  
of electors.

**II.** Article 4227 of the Revised Statutes is replaced, for the town, by the following :

Every person is a municipal elector, and as such has a right to vote at the election of mayor and councillors, and to exercise all the rights and privileges conferred upon municipal electors by the provisions of the Revised Statutes, title eleven, chapter first, and by this act, who, at the time he exercises such rights and privileges, is within the following conditions :

1. He must have attained the age of majority and be a subject of His Majesty ;

2. He must have been in possession as proprietor for six months in the municipality, in his own name or in the name and for the benefit of his wife, as shown by the valuation roll in force, of real estate of the actual value of at least two hundred dollars, or as a resident tenant farmer or lessee, or as occupant, by any title whatsoever, of a lot, or building of the annual value of twenty dollars ;

3. He must have paid, at least three days before the polling day, all municipal and school taxes due by him at the period of his exercising such rights as elector ;

4. His name must be entered, either as proprietor, lessee or occupant, on the valuation roll in force in the municipality or be entered on the list of municipal electors, if there be one ;

5. Such person must be either of the male sex, a widow or a spinster.

## ELECTION OF MAYOR AND COUNCILLORS

**12.** Article 4235 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4235,  
replaced for  
town.

The secretary-treasurer of the council presides *ex-officio* at the election of mayor and councillors, unless the council has appointed, during the month of December preceding the election, by resolution, another person to preside at the election.

Officer to  
preside over  
election.

The presiding-officer shall appoint an election-clerk to assist him in the execution of his duties relative to the election, and in the event of his absence or inability to act, the clerk shall, under the same penalties, fulfil all the duties of the latter.

Election-  
clerk.

**13.** Article 4236 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4236,  
replaced for  
town.

If, for any reason whatsoever, the secretary-treasurer or presiding-officer appointed becomes unable to act before he has appointed a clerk, the mayor in office may appoint another person to preside at the election ; and the person so appointed has, in this respect, all the powers and discharges all the duties of the secretary-treasurer or presiding-officer chosen.

If person to  
preside be-  
comes unable  
to act.

**14.** Article 4237 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4237,  
replaced for  
town.

After having opened the meeting, the presiding-officer shall place in nomination all persons whose names have been handed in in writing, by at least seven municipal electors, who, before the opening of the meeting, have paid all municipal and school taxes then due by them.

Nominations  
for mayor to  
be received.

In the case of the election of a councillor, the nomination must be made by the electors of the ward.

Idem for  
councillors.

**15.** Article 4240 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4240,  
replaced for  
town.

If, one hour after the opening of the meeting, there have been and remain nominated for the office of councillor in one or more wards, more persons than there are councillors to be elected therefor, it is the duty of the officer presiding at the election to grant a poll for such ward, which poll shall be held, on the following Monday, at such place in the said ward as shall be indicated in a public notice given by the presiding-officer on the day following the meeting.

Voting in  
certain cases.

R. S., 4243 to 4245, 4253 to 4259, and 4262, replaced for town.

**16.** Articles 4243 to 4245, inclusively, 4253 to 4259 inclusively, and 4262 of the Revised Statutes are replaced, for the town, by the following :

The elections of mayor and councillors of the town, either general or partial, shall be by ballot, and the provisions of the Quebec Election Act, then in force, shall apply to such elections *mutatis mutandis* and shall govern them as well as all matters connected therewith and not mentioned in this act or in the general act respecting towns as amended for this town.

Interpretation of certain terms in Quebec Election Act.

In the application of the said articles to elections to be held in virtue of this act, the words "returning-officer" shall mean "presiding-officer", the words "deputy returning-officer" shall mean "deputy presiding-officer" or the person in charge of any poll, the words "clerk of the crown in chancery" shall mean the "secretary-treasurer of the town", and the words "legislative assembly" shall mean "town council". No publication in the newspapers shall be required, nor shall any deposit in money; and the nomination paper may be signed by seven electors only.

Voting by certain election officers.

The deputy presiding-officers and the poll-clerks, otherwise qualified to vote, may vote like the other electors, but the presiding-officer shall not have such right; nevertheless, when the votes are equally divided in favor of two or more candidates for the office of mayor or councillor, the presiding-officer shall, under a penalty of fifty dollars, give his casting vote in favor of the candidate he thinks suitable, immediately after the final addition of the votes, which shall take place on the following day at ten o'clock in the forenoon in the office of the council, and thereupon proclaim the person elected mayor or councillor as the case may be.

R. S., 4250, replaced for town.

**17.** Article 4250 of the Revised Statutes is replaced, for the town, by the following :

Oath to be taken by electors.

The deputy presiding-officer at each poll or his clerk may, and shall, on the requisition of any candidate or his representative, cause any person who presents himself for the purpose of voting, to take the following oath or affirmation :

"You swear (or affirm) that you are a subject of His Majesty; that your name is that entered on the valuation roll or in the list now exhibited to you, (if there be a municipal list of electors); that you are entitled to vote at this election; that you have paid, at last three days ago, all municipal and school taxes due by you in this municipality, that you have received nothing and have been promised nothing, either directly or indirectly, to vote at this election; and that you have not already voted at this election of mayor (or councillor of this ward, as the case may be). So help you God."

If the elector once refuses to take such oath or affirmation he cannot receive his ballot or vote at such election. If elector refuses to take oath.

**18.** Article 4263 of the Revised Statutes is replaced, for the town, by the following : R. S., 4263, replaced for town.

So long as the town shall not be divided into wards, the election of councillors for the whole town and that of mayor shall also be by ballot, and the poll, if necessary, shall be held by the presiding-officer himself, assisted by the clerk appointed by him ; but there shall be a ballot-paper, a ballot-box and a poll-book for each contested seat. Election when town not divided into wards.

#### QUORUM

**19.** The quorum of the council of the town consists of the absolute majority of all the members. Quorum of council.

#### SALE OF INTOXICATING LIQUORS

**20.** Article 4414 of the Revised Statutes is replaced, for the town, by the following : R. S., 4414, replaced for town.

To fix a sum not exceeding, in any case, two hundred dollars, but which may vary according to the kind of license, for the granting or confirmation of each certificate to obtain a license for an hotel, inn, tavern, restaurant, wholesale or retail liquor store or bottler's establishment for the sale of malt, vinous, spirituous and alcoholic liquors or for obtaining a license for a temperance hotel. Fee on confirmation of certificate to obtain license for hotel, &c.

**21.** To exact the payment to the municipality of a duty not to exceed fifty dollars, payable on the transfer of a license by the transferee. Duty on transfers of licenses.

#### POWERS OF THE COUNCIL

**22.** Articles 4452 and 4453 of the Revised Statutes are replaced, for the town, by the following : R. S., 4452 and 4453, replaced for town.

To establish a common sewer or a system of common sewers, and to extend the same in the town, and to assess the cost thereof upon the town generally. Sewers, &c.

**23.** The council may, by by-law :

Council may :

1. Make provision for the suitable observance of Sunday, prevent the opening in the town of places of public amusement on Sundays and holidays of obligation and after certain hours at night ; Make provisions for Sunday observance, &c. ;

- Prohibit billiards, &c.; 2. Prohibit billiards, pool, mississippi, pigeon-hole, bowling and other similar games on Sundays, or holidays of obligation and, after certain hours at night, in any hotel, saloon or place of public amusement and regulate such games ;
- Prevent keeping of swine, &c. ; 3. Prevent the raising, keeping or feeding of swine in the town or any part thereof, as the council may deem advisable ;
- Authorize seizure of food, &c. ; 4. Authorize the seizure or confiscation of all food, fuel and wares offered for sale in the town for defective measure, weight or quality.
- Regulate sale, &c., of milk ; 5. Regulate the sale, quality and inspection of milk and authorize the seizure and confiscation when it is adulterated, diluted or unwholesome ;
- Regulate construction, &c., of chimneys ; 6. Regulate the construction, dimensions, materials and height of chimneys, and their height above the roofs of the adjoining houses ;
- Prevent driving without bells in winter ; 7. Prevent anyone driving in the town, when the ground is covered with snow, without having bells attached to his harness or to his vehicle ;
- Determine distance between buildings, &c. ; 8. To determine the distance between buildings and the outer line of a street of part of a street and the alignment of such buildings ;
- Regulate cleaning of yards, &c. ; 9. Regulate the cleaning of yards, cellars, vacant lots, and charge the cost thereof to the proprietors or occupants, if done by the town ;
- Permit construction of street railways, &c. ; 10. Permit, for such price and on such conditions and subject to such restrictions as the council may deem advisable to impose, the construction of a street railway in the town ;
- Compel the painting of telegraph, &c., poles. 11. To compel telegraph, telephone and street railway companies to paint their poles in the streets of the town.

## LOANS.

R. S., 4529 and 4529a, replaced for town. **24.** Articles 4529 and 4529a of the Revised Statutes are replaced, for the town, by the following :

How loans by issue of bonds to be effected. Loans, both by the issue of bonds and otherwise, shall be effected only upon a by-law of the council passed to that effect, and approved by a majority of the proprietors who are municipal electors, in number and in immoveable value of the said electors who have voted. Nevertheless, without such approval being required, it shall be lawful for the council, by resolution, to borrow various sums of money on notes.



promissory notes of the corporation, at a rate not exceeding six per cent. per annum; but the aggregate unpaid principal of all promissory notes so issued must not exceed four thousand dollars.

#### TAXES IN GENERAL

**25.** In order to raise the necessary funds to meet the expenses of the council and to effect all necessary and beneficial public improvements, the council may levy, annually, on all persons, companies and industries, and on all the moveable and immoveable property in the town, all general or special taxes, contributions, licenses, specific duties and other imposts as hereinafter provided.

General power of levying taxes.

#### TAX ON IMMOVEABLES

**26.** Upon all immoveables in the municipality a sum not exceeding two per cent. of their actual value, as shown on the valuation roll. The council may, however, divide the tax on immoveable property and levy and impose taxes separately on the lands and on the buildings thereon erected, or impose taxes on the lands only or on the buildings only.

Taxes upon immoveables.

All land under cultivation or farmed or used as pasture for cattle, as well as all uncleared or wood lots within the limits of the municipality shall be taxed for an amount not exceeding one dollar per one hundred dollars.

Taxes upon farming, &c., lands.

The council may cause to be added to the valuation roll, from time to time, by the assessors in office on the valuation by them made any portion of such land or immoveable which has been detached therefrom as a building lot, and shall then have become liable to taxation after the closing of the valuation roll, and to exact the said taxes as upon all other lots entered in the said roll.

Addition to roll of building lots after completing roll, &c.

#### TAX ON TENANTS, OCCUPANTS AND OTHERS

**27.** Upon every tenant paying rent in the town, an annual tax not exceeding six cents per dollar on the amount of the rent entered in the valuation roll or rental list or of the annual value of the property leased or occupied, this latter value being taken for the imposition of the tax; provided always, that the said annual tax shall be at least one dollar, that is to say, that each tenant shall pay, at least, one dollar per annum. Such tax is likewise exigible from every occupant of any property, according to the estimated value of his occupation, as shown by the valuation roll.

Taxes upon tenants and occupants.

**28.** Upon every male inhabitant of the full age of twenty-one years and not otherwise taxed, a sum not exceeding two dollars.

Poll-tax.

## TAX ON ANIMALS, MOVEABLES AND PERSONS

Taxes upon  
dogs, &c.

**29.** A special tax, not exceeding five dollars, on any bitch and two dollars on any dog kept in the town. Such tax shall be exigible from the person in possession of the animal, who shall be deemed to be the owner thereof. In default of payment of such tax, after demand has been duly made, the council may order the animal, the tax on which has not been paid, to be sold or destroyed or otherwise disposed of.

Taxes upon  
keepers of  
houses of  
public enter-  
tainment, &c.

**30.** A special tax, the amount whereof shall be in the discretion of the council for every class, but not exceeding two hundred dollars, on proprietors or keepers of establishments of public entertainment, taverns, refreshment rooms, restaurants, coffee-houses and hotels ; on brewers, distillers, bottlers and wholesale and retail liquor dealers ; on theatres, menageries, circuses, shows, merry-go-rounds and public shows of any kind whatever ; on all public exhibitions kept open with a view to make a profit ; on billiard tables, pigeon hole tables, pools, bowling alleys and other games, or on the proprietors or keepers of such places of entertainment, amusement or games ; on auctioneers, carters, livery-stable keepers, brokers, agents of insurance companies, on water-works, tramways, electric telegraph and telephone companies, (but the said annual special tax imposed on telegraph and telephone companies shall not be more than twenty cents for each pole belonging to such telegraph or telephone company.)

## TAX ON ARTS, PROFESSIONS, TRADES, BUSINESS, INDUSTRIES, ETC.

Taxes upon  
trades, busi-  
ness, profes-  
sions, &c.

**31.** Upon all persons or corporations carrying on, within the limits of the town, any trade or business, other than those mentioned in the foregoing article, and upon all persons exercising any profession or earning any salary or wages, provided such tax shall not exceed in any case five dollars in any one year.

Taxes pay-  
able by resi-  
dents and  
non-residents  
carrying on  
business, &c.

**32.** The taxes and specific duties mentioned in this and the foregoing articles may be imposed upon and exacted from any person, whether he resides within the limits of the town or not, provided he carries on a trade, business, calling, profession or industry therein, or earns wages or a salary therein, and has an office therein ; provided always that, if a tax be imposed on salaries and wages, the first four hundred dollars earned by each person shall not be subject to taxation.

**33.** Such taxes or specific duties shall be exigible for carrying on each such trade, business or occupation, even when two or more of them are so carried on by the same person or firm, if carried on in separate buildings.

Taxes upon each trade, &c.

**34.** Every person who, during the fiscal year, carries on or practises any kind of business or occupation which renders him liable to the tax or specific duty, is bound to pay the whole of such tax or specific duty whatever be the time of the year at which it becomes due, unless the council remits any portion of such tax or specific duty, on account of the short time to elapse before the end of the current year.

Tax due for whole fiscal year.

Proviso.

**35.** The council, however, cannot remit such tax or specific duty, except when the same would become due only during the last three months of the fiscal year.

Exception for last three months only.

**36.** The council may, by-by-law or by simple resolution, levy and collect, by special license :

Council may, by by-law, &c., collect tax upon :

1. A sum, not exceeding two hundred dollars, from all persons who come temporarily into the town to sell or cause to be sold merchandize or goods belonging, in whole or in part, to a bankrupt stock or other stock of merchandize or effects, either by auction or by private sale, the whole without prejudice to the right to impose the taxes or specific duties, mentioned in the present paragraph

Persons selling bankrupt stocks, &c.;

2. A sum not exceeding seventy-five dollars per annum from every peddler selling or offering for sale goods or wares in the town, whether holding a district license or not.

Peddlers.

Nothing in this section shall apply to commercial travellers.

Commercial travellers not affected.

#### DISCOUNT AND PRESCRIPTION

**37.** Article 4559 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4559, replaced for town.

The council may, by a by-law approved by the majority in number and in value of immoveables. of the proprietors being municipal electors, exempt, from the payment of municipal taxes for a period not exceeding twenty years, any person who carries on any industry, trade or enterprise whatsoever, as well as the land used for such industry, trade or enterprise, or agree with such person for a fixed sum of money payable annually for any period not exceeding twenty years in commutation of all municipal taxes.

Council may, by by-law grant exemptions of taxation to persons carrying on industries in town for period of years, &c.

It may also by resolution exempt the poor of the municipality and their property from the payment of municipal taxes.

Exemption of property of poor from taxation.

Limit of application of exemption, &c.,

Such exemption or agreement shall not extend to work upon water-courses, boundary ditches, fences or front roads connected with taxable property so exempted or commuted.

Discount upon payment of taxes.

**38.** It shall be lawful for the council, at any time, to declare, by resolution or by-law that the rate-payers, who pay their taxes or municipal dues within a specified period, shall benefit by a reduction which the council shall determine.

Notice of resolution therefor.

The secretary-treasurer shall give public notice of such resolution.

#### COLLECTION OF TAXES

Recovery of taxes on firms, &c.

**39.** When the tax is imposed on the members of a firm or company of merchants, on account of the business of such firm or company, such tax may be claimed and recovered in full, either from one of the partners or from the firm or company itself.

Co-proprietors.

**40.** When a property belongs to more than one person, one of the proprietors alone may be compelled to pay the full amount of the taxes on such property, saving his recourse against his co-proprietors.

R. S., 4554, replaced for town.

**41.** Article 4554 of the Revised Statutes is replaced, for the town, by the following :

Sale on warrant how stopped.

The sale on such warrant cannot be stopped, except on an order of a judge of the Superior Court made on petition presented either in chambers or to the Circuit or Superior Court, or on an order of a district magistrate.

#### SALES OF IMMOVEABLES FOR TAXES

Sale of property for school taxes.

**42.** The council may, upon receipt of a certificate from the secretary-treasurer of the school commissioners or school trustees of the town, setting forth that the school taxes imposed upon one or more immoveable properties in the town have not been paid within the delay by law required, authorize its secretary-treasurer to sell or have sold by public auction, at the ordinary place of meeting of the council, in the manner hereinafter prescribed, but at the cost, risk and peril of the said school commissioners or school trustees, any immoveable property designated by resolution of the said school commissioners or school trustees as so indebted to them for school taxes.

All municipal dues may be collected out of sale.

**43.** In the case of the sale of immoveables for taxes or other municipal dues to which such immoveables may be subject in virtue of this act, the council may add, to the

amount of such taxes, all other municipal dues whatsoever due by the proprietor of said immoveables, with the same privilege, when the public sale of such immoveables takes place.

**44.** The secretary-treasurer of the town shall prepare a list containing a designation or summary description, according to article 2168 of the Civil Code, giving the boundaries of the properties which have been ordered to be sold by auction by the council, with the names of the proprietors, as shown by the valuation roll, and opposite the description of such immoveables, the amount of municipal dues and school taxes due and payable affecting such immoveables. List of property to be sold for taxes.

**45.** The secretary-treasurer must give, within fifteen days after such order has been given, in the ordinary manner, a public notice of the day, hour and place where such sale shall take place. Public notice of sale.

**46.** Such notice and the copies thereof to be posted up shall be respectively accompanied with a copy of the list of the immoveables to be sold, with the amount of taxes and other municipal dues due on each property respectively. Posting of notice, &c.

**47.** A like notice and the list which shall accompany the same shall be published twice in the French and English languages in the *Quebec Official Gazette* in the month of August preceding the sale. Publication in Quebec Official Gazette.

**48.** The secretary-treasurer is bound to give, during the month of August, to every person entered on the valuation roll as the owner of the property to be sold, a special notice, by registered letter mailed to the address of such person. Special notice of sale.

**49.** If the debtor or proprietor has no known domicile, the notice must be sent to the occupant of the immovable which is to be sold, unless such immovable be a vacant lot, in which case the notice is not necessary. Notice if debtor has no known domicile.

**50.** If the immovable assessed is entered on the valuation roll as forming part of a succession or as belonging to co-proprietors, the notice addressed to the known heirs or representatives of the succession shall be sufficient. Notice in cases of successions, &c.

**51.** At the time indicated for the sale, the secretary-treasurer, or some other person acting in his name, sells separately to the highest and last bidder the immoveables described in the list on which municipal taxes or dues are still due, after having made known the amount to be levied on each of them, including the costs incurred for such sale. Sale to highest bidder.

Cost of  
advertising.

**52.** The cost of advertising and publication are equally apportioned upon each immoveable advertised or sold.

Fees of  
secretary-  
treasurer.

**53.** The secretary-treasurer shall be entitled to fifteen cents for each hundred words or figures for all public notices, lists and other documents in relation to the adjudication, or redemption or sale of lands indebted for taxes, to fifty cents for each special notice in relation to the same, and to one dollar and fifty cents for each certificate of adjudication.

Who becomes  
purchaser.

**54.** Whosoever offers thereupon to pay the highest price and is the last bidder, becomes the purchaser of the immoveable so put up for sale; the said immoveable is immediately adjudged to him by the secretary-treasurer or other person holding the sale.

Price to be  
paid at once

**55.** The purchaser is bound to pay the price of the immoveable immediately after the adjudication thereof.

Resale in de-  
fault, &c.

**56.** In default of the immediate payment thereof, the secretary-treasurer or the person holding the sale, at once puts the immoveable up again at auction, or adjourns the sale to another day, within nine days, by giving notice of such adjournment to all persons present, in a loud and intelligible voice.

Adjournment  
of sale.

**57.** If, at the time of the sale, no bid is made, or if all the lands advertised cannot be sold on the same day, the sale must be adjourned to any other day within nine days, in the manner set forth in the preceding article.

Certificate to  
purchaser  
and his rights  
and obliga-  
tions there-  
under.

**58.** On payment by the purchaser of the amount of his purchase money, the secretary-treasurer shall give a certificate, under his signature, to such purchaser, specifying the particulars of such sale, and the purchaser may forthwith enter upon and take possession of such immoveable and enjoy the civil and natural fruits thereof. The purchaser cannot, during the two years from the adjudication, despoil, destroy, materially change or deteriorate any portion of the said immoveable or allow the same to be damaged, saving the ordinary use thereof. The secretary-treasurer must, during the same month of October, give a special notice of the adjudication to every person entered on the valuation roll as the owner of the property adjudicated, by a registered letter mailed to the address of such person. If the debtor or proprietor have no known domicile, the notice must be sent to the occupant of the immoveable, unless it be a vacant lot, in which case the notice is not necessary.

**59.** Every proprietor whose immoveable has been so adjudicated may redeem the same, within two years from the date of the adjudication, by paying to the purchaser the price of sale, all expenses incurred for preserving the same, repairs, insurance premiums paid, all taxes imposed upon such immoveable and paid by the purchaser, with fifteen per cent. on the whole, every fraction of a year being reckoned as a year, on all such moneys, whether taxes, costs, repairs or insurance. Such claims shall be privileged upon the property, and the purchaser may retain the property redeemed until fully paid. The purchaser shall, on the other hand, remit to the proprietor, at the time the redemption is effected, all the rents by him collected, without interest.

Redemption  
of land so  
sold, &c.

**60.** Any person, whether authorized or not, may redeem the lot in the same manner, but only in the name and for the benefit of the person who was the owner thereof at the time of the adjudication, according to the valuation roll in force.

Who may re-  
deem.

**61.** When the power of redemption is exercised, the parties must notify in writing the secretary-treasurer of the town of such fact.

Notice of re-  
demption to  
be given to  
secretary-  
treasurer.

**62.** The corporation may bid upon such immoveables and become the purchaser thereof, through the mayor or any other person, authorized by the council, without being obliged to pay the price of sale immediately.

Corporation  
may bid, &c.

**63.** The secretary-treasurer shall transmit to the registrar a list of the immoveables sold as aforesaid, within the eight days following the sale thereof, and, for so doing, he is entitled to fifty cents for each parcel of land mentioned in the list ; one half whereof is sent by him to the registrar to pay the latter's fees on the deposit and entry thereof and for the cancellation.

List of lands  
sold to be  
sent to regis-  
trar.

**64.** The provisions of article 5843 of the Revised Statutes, R. S., 5843, concerning sales made by the sheriff, shall apply to sales made under this act.

to apply.

**65.** Whenever an immoveable is redeemed by the proprietor thereof, the secretary-treasurer must immediately inform the registrar of such redemption having been effected.

Notice of re-  
demption to  
be given to  
registrar.

**66.** If, after the adjudication of any property, any money remain out of the price of adjudication after the municipal and school rates, taxes and costs have been paid, the surplus

Deposit of  
surplus.

is deposited by the secretary-treasurer in the municipal treasury, to be, after the redemption, finally handed over to the proper parties with interest.

Secretary-treasurer to obtain certificate from registrar of charges upon property.

**67.** If the redemption be not effected and if there be a surplus, the secretary-treasurer shall, as soon as the delay for the redemption shall have expired, obtain from the registrar of the county of Richmond a certificate of the privileges and hypothecs and other charges affecting the immoveable which have been registered up to the date of the adjudication.

Report to be filed with prothonotary of proceedings, &c.

Six days after the expiration of said delay, the secretary-treasurer shall be bound to report all his proceedings to the office of the Superior Court for the district of St. Francis, and hand over to him at the same time all moneys the proceeds of sale of the said immoveable with a statement of all amounts due to the municipality for taxes and a statement of his costs as well as the registrar's certificate.

Report of distribution to be drawn up by him.

The prothonotary shall thereupon prepare a report of distribution according to the rights of the parties under the provisions of the Code of Civil Procedure.

Deed of sale to be given to purchaser after two years have elapsed.

**68.** If, at the expiration of two years from the time of such adjudication, the immoveable so adjudged has not been redeemed, the purchaser shall remain the irrevocable owner thereof, and, upon proof of payment of all municipal dues and of all school taxes which shall become due and payable on the property during the interval, the secretary-treasurer, in the name of the corporation, shall execute a deed of sale in due form, conveying the immoveable thus sold to the purchaser or his representatives, under his signature and the seal of the corporation, the purchaser paying previously the cost of such deed, together with the costs of the registration thereof; and the secretary-treasurer shall immediately cause the said deed to be registered in the proper registry office.

Effect of sale.

**69.** Such sale shall have the same effect as a sale by authority of justice, shall convey the ownership of the land adjudged, shall vest in the purchaser all the rights of the original owner, and shall purge the property from all claims, privileges and hypothecs to which it may be subject, except for the payment of municipal debentures or the taxes to pay the same or interest thereon.

Proceedings, if property advertised is seized by the sheriff.

**70.** If, before the sale of any property by the secretary-treasurer, the same be seized by the sheriff, the secretary-treasurer, upon being notified of such seizure by the seizing creditor or his attorney, shall not proceed with the same, but shall complete his advertisements, and shall, without



delay, transmit to the sheriff a statement of the sums due for municipal or school taxes or dues, and costs incurred on account thereof, which sums shall be paid by the sheriff, by privilege, out of the proceeds of the sale.

**71.** If, on the day on which the sale is to take place, under the provisions of this act, the proceedings of the sheriff on the sale are discontinued or stopped by any opposition, the secretary-treasurer may sell the immoveable in the usual manner. If sheriff's sale stopped.

**72.** Articles 4557, 4558 and 4558*1* of the Revised Statutes shall not apply to the town. R. S., 4557, 4558 and 4558*a*, not to apply.

#### MUNICIPAL FINANCES

**73.** The fiscal year in the town for all taxes, licenses, assessments, imposts or annual dues, shall commence on the first day of January and terminate on the last day of December, in each year, whatever may be the date or time of the year at which such taxes, licenses, assessments, imposts or dues have been imposed or have become due. Fiscal year.

**74.** Before the session of the council in November, each year, a statement of the expenses to be provided for and of the probable revenue for the ensuing fiscal year, shall be prepared; and the council, when levying the taxes for that year, shall be guided by such statement and add to the total of expenses ten per cent. of that total to cover unforeseen wants and deficiencies in collections. Yearly statement of the finance committee.

**75.** No committee shall incur liabilities and spend more than the amount of its appropriation, without the permission of the council, in session; and should any committee exceed in liabilities and expenditure the amount of its appropriation, without such permission, the members of such committee shall be personally responsible for such excess. Expenditure exceeding appropriations.

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

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