

3. After the coming into force of this act, the council of the town of Chicoutimi shall not contract the loan of twenty-five thousand dollars authorized by section 15 of the act 63 Victoria, chapter 56.

Loan under 63 V., c. 56, s. 15, not to be effected after coming into force of act.
Coming into force.

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

CHAP. 50

An Act to amend and consolidate the charter of the town of Richmond

[Assented to 28th March, 1901]

WHEREAS the corporation of the town of Richmond has, by its petition, prayed for the consolidation and revision of its charter, 45 Victoria, chapter 103, as amended by 50 Victoria, chapter 59, and whereas it is expedient to grant the prayer of the said petition ;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

TITLE I

INCORPORATION

1. The inhabitants of the said town of Richmond, as hereinafter described, and their successors shall be, shall continue to be and are hereby declared to be a body corporate and politic by the name of "Town of Richmond," and, as such, shall have perpetual succession, and shall have power to sue and be sued, to plead and to be impleaded, in all courts and in all actions, causes and suits whatsoever, shall have all the powers of legislation, control and administration commonly possessed by municipal corporations, and shall have a common seal, with power to alter and modify the same, at their pleasure, and shall in law, be capable of receiving by donation, of acquiring and holding, by any title or in any manner whatever, any property, moveable or immoveable, for the use or benefit of the said town, and of disposing of the same ; of becoming a party to any contract or agreement in the management of the affairs of the town, or for its benefit, and of giving, endorsing or accepting any notes, bonds, drafts or other instruments or securities for the payment of any sum of money or in discharge, recognition or execution of any right or obligation whatever ; and of

Inhabitants incorporated.

Name. General powers.

borrowing money for any purpose within the jurisdiction of the council of the said town, either upon notes or debentures, or by hypothecating the immoveable property of the town for that purpose.

TITLE II

TOWN BOUNDARIES AND WARDS

Limits of the town defined. 2. The town of Richmond shall comprise all that tract of land known as lots fifteen, sixteen, seventeen, eighteen and nineteen in the fourteenth range of the township of Cleveland, in the district of Saint Francis, bounded, in front, towards the south-west by the river St. Francis, in rear, towards the north-east by the concession line between the thirteenth and fourteenth ranges of the said township, towards the north-west by the lot number twenty and towards the south-east by the side line between lots fourteen and fifteen, also that portion of lot fourteen in the fifteenth range of the said township as now fenced and used for the St. Anne's cemetery, bounded in front towards the south-west by the king's highway, in rear towards the north-east and on one side towards the south-east by the land of George H. Pierce and on the other side towards the north-west by the land of Arthur Wilcox.

Extension of limits. 3. And whereas it is advisable to provide for the extension of the boundaries of the said town, it shall be lawful for the town council, upon the affirmative vote of two thirds of its members, to make a by-law to extend the town limits, by annexing to the town, for all municipal purposes, the municipality of the village of Melbourne.

Contents of by-law. Such by-law shall contain a complete description of the territory to be annexed, with a plan thereof, showing its wards and boundaries, and it shall also set forth the terms and the conditions upon which it shall be so annexed, and shall determine whether the territory so annexed shall form one or more wards, or be in part annexed to any existing ward of the town.

Approval of by-law by council of village of Melbourne. Such by-law must be read three times, and, before the third reading and final passing thereof, such by-law must have been approved of by by-law of the municipal council of the village of Melbourne and sanctioned and approved by the electors of the said village who are proprietors of real estate therein, in the manner provided by the municipal Code, articles 671 to 686, inclusively.

Annexation of land adjacent to limits. 4. It shall also be lawful for any proprietor of land now, or which may become adjacent or contiguous to the limits

of the said town, by means of a notice to the said town council, and with its consent signified by a by-law, passed for that purpose in the usual form, to demand and obtain that his said land be included in the limits of the said town of Richmond; and upon such land being declared, by by-law, to be so included or incorporated in the said town limits, the said proprietor shall become possessed of all municipal rights and privileges, and be subject to all by-laws, obligations, duties and charges imposed upon the persons and property originally included within the limits of the said town.

5. The town shall be divided into wards known as wards numbers one, two, three and four, as at present established by by-law of the council. Division into wards.

The council of the said town shall have power, at any time hereafter, to change either the numbers or the boundaries of such wards, and, in case of annexation of territory, to create new wards. Power to change numbers and boundaries, &c.

TITLE III

MUNICIPAL ELECTORS

6. Every person is a municipal elector and as such has the right to vote at the election of councillors, and to exercise all the rights and privileges conferred on municipal electors by the provisions of the Revised Statutes of the Province of Quebec, title XI, chapter I, and by this charter, who, at the time he exercises such rights and privileges, is within the following conditions : Qualification of municipal electors.

(a) He must have attained the age of majority, and be a subject of His Majesty ;

(b) He must have been in possession, in the municipality, during the preceding six months, either in his own name, or in the name and for the benefit of his wife, as appears by the valuation roll in force, as proprietor of real estate of the actual value of two hundred dollars, or as resident, tenant farmer or lessee or as occupant by any title whatsoever, of real estate of the annual value of at least thirty-six dollars ;

(c) He must have paid all the municipal and school taxes due by him at the period of his exercising such right as elector ;

(d) His name must be entered, either as proprietor, lessee or occupant, on the valuation roll in force in the municipality, and be entered on the list of municipal electors, if there be such list ;

(e) Spinsters and widows shall have the right to be entered on the list of municipal electors, and to vote at all municipal elections, when otherwise qualified as by this charter and by law provided.

TITLE IV

TOWN COUNCIL

- Composition of council.** **7.** The council shall be composed of seven councillors, to be increased to nine on the extension of the limits of the town by the annexation thereto of the village of Melbourne, as hereinbefore provided.
- Of the seven councillors, two shall be elected for Ward Number 1, two for Ward Number 2, two for Ward Number 3, and one for Ward Number 4.
- The representation of the wards of the council may, however, be changed by by-law of the council.
- Term of office of councillors** **8.** The councillors shall be elected for three years, saving the provisions of article 4197 of the Revised Statutes of Quebec.
- Number of councillors to be elected at each general election, &c.** **9.** At each general election, there shall be elected as many councillors as there are councillors retiring from office; but, at the annual election held after the annexation of the village of Melbourne to the town of Richmond, there shall be elected two additional councillors, as provided by section 7 of this act.
- First meeting after annual election and notice therefor.** **10.** A meeting of the council shall be held within eleven days after such annual election, which meeting shall be called by the secretary-treasurer by special notice, and at this meeting, the council must appoint any one of the councillors possessing the necessary qualifications as mayor.
- Appointment of mayor.**
- Appointment of pro-mayor and his powers and duties.** **11.** At the same regular session, the council shall also appoint one of its members as pro-mayor, who shall act as mayor when the mayor may be absent, sick or disqualified, or otherwise unable to act; and the member of the council so elected as pro-mayor, shall, during such sickness, absence or inability, have and exercise all the powers, authority and privileges vested by law in the mayor.
- Quorum of council.** **12.** A quorum of the council shall be four members, so long as the number of councillors is seven, and when the number is increased to nine, as hereinbefore provided, a quorum shall be five members.

13. The general elections shall take place on the second Monday in the month of January in every year. The nomination takes place at nine of the clock in the morning.

Time for general elections.

14. After having opened the meeting of electors for the nomination of councillors, the presiding officer shall receive and place in nomination the names of all candidates duly qualified for the office, who shall be nominated in writing by not less than ten municipal electors duly qualified to vote in that particular ward for which the nomination is made, and each nomination paper must specify the ward for which the candidate is proposed.

Nomination of candidates.

The presiding officer shall require the person presenting the nomination to make oath before him that the several persons who have signed the nomination paper are electors duly qualified to vote at the election, according to the voters' list in force, and that they signed the same in his presence.

Oath required.

15. If, one hour after the opening of such meeting, only as many persons have been duly nominated for any ward, as there are councillors to be elected therefor, the presiding officer shall proclaim such person or persons elected, but if, at the expiration of the hour, 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 shall be the duty of the presiding officer to grant a poll for such ward or wards, which poll shall be held without delay at the town-hall.

Proclamation of persons elected if only number of councillors required nominated. Poll, if otherwise.

16. The poll shall be opened at ten of the clock in the forenoon, and closed at five of the clock in the afternoon on the same day.

Opening and closing of poll.

17. Every hotel-, tavern- and saloon-keeper shall close his bar during the day of polling; and no spirituous or fermented liquors or strong drink shall be sold or given at any hotel, tavern, saloon, shop, or restaurant within the limits of the town, during the whole of polling day.

Hotels, &c., to be closed during polling day, &c.

Every one who violates this section shall incur a penalty of fifty dollars and imprisonment for any term not exceeding three months, in default of payment.

Penalty for violation of this section.

18. The council shall hold general or ordinary sessions on the first Monday in each month, and at such other times as may be provided by the council.

General sessions of council when to be held.

TITLE V

POWERS OF THE COUNCIL

- Power of council to make by-laws for good government of town, and respecting : **19.** The council may make by-laws for the good government, peace, welfare, improvement, cleanliness, health and internal economy of the town and the preservation of order therein, and for the prevention and suppression of all acts and proceedings obstructive thereof or disadvantageous thereto ; and, without limiting the effect and purview of the authority hereby given, such by-laws may be made for the following among other purposes, viz :
- Observance of Sunday : (a) For the proper observance of Sunday, and to prevent the opening of public places of amusement in the town on that day ;
- Sale of intoxicating liquor ; (b) To restrain, regulate or prohibit the sale of intoxicating liquors in the town ;
- Shop-keepers, &c. (c) For regulating and governing shop-keepers, tavern-keepers and other persons selling intoxicating liquors by retail in the town, and the places where and the times at which such liquors may be sold, in such manner as the council may deem expedient for the prevention of drunkenness and for the peace and welfare of the inhabitants ;
- Sale of goods on streets, &c. ; (d) For preventing the sale of any goods, wares or merchandise on the streets or public places of the town ;
- Sale elsewhere than on markets, &c. ; (e) For preventing persons bringing articles into the town, from selling or exposing them for sale, in any place other than the public markets of the town, and for regulating the sale of such articles ;
- Billiards, &c. ; (f) To prohibit games of billiards, pool, mississippi, pigeonhole, ten-pins and other like games, on Sunday, in any hotel, club, saloon or place of public resort ;
- Sale, &c., of bread : (g) To regulate the inspection, sale and manufacture of bread in the town, and the weight and quality thereof, and to prohibit the sale of any bread that is not made according to hygienic principles ;
- Musical saloons, &c. (h) To license, regulate or prohibit musical saloons or establishments where intoxicating liquors are sold, and where instrumental or vocal music is used as a means of attracting customers ; to license or prohibit the use by itinerant players of hand organs or other musical instruments for pay or expectation of pay, in any of the streets or public places ; to prohibit the sale or exhibition of any lewd book, picture, or other thing of an immoral or scandalous nature, or the performance of any indecent or immoral play or representation ;
- Hand-organs, &c. ;

(i) To license and regulate the holding of exhibitions of common showmen, shows of every kind, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, minstrels and other like exhibitions ; with power to prohibit any such exhibition, if deemed expedient ;

Exhibitions of
common
showmen, &c. ;

(j) To regulate or prohibit the erection, use or working in the town of unhealthy, unwholesome, dangerous or obnoxious factories, or establishments, the working of which may endanger public health or safety, or become a public nuisance ;

Erection, &c.
of unhealthy
factories, &c. ;

(k) To compel persons owning or using steam-engines, steam-boilers, factories, chemical works, or other workshops or establishments, to provide the same with necessary apparatus to consume the smoke and gas escaping therefrom, so as to effectually remove and abate any nuisance arising from the working of such establishment ;

Use of steam-
engines, &c. ;

(l) To impose a fine of not exceeding fifty dollars for the violation of any by-law made under the provisions of the two preceding subsections, and a further fine of not exceeding ten dollars per day for each and every day the offender shall continue in the violation of such by-law ;

Penalties for
violation of
certain by-
laws ;

(m) To compel the proprietor of every lot of land in the town to fence in or enclose the same, and to regulate the height and quality of every such fence or enclosure ;

Fences ;

(n) To prevent the raising, keeping or feeding of pigs in the town or any such portions thereof as the council may determine ;

Pigs ;

(o) To authorize the seizure and confiscation of all or any articles of food and effects for sale in the town, for or on account of deficiency in measure, weight or quality ;

Seizure, &c.,
of certain
food, &c. ;

(p) To regulate the sale, quality and inspection of milk, and to authorize its seizure and confiscation, when adulterated, diluted or unwholesome ;

Sale, &c., of
milk ;

(q) To regulate the sale, by weight or otherwise, of all articles sold or offered for sale, or delivered in the town :

Sale of
articles &c. ;

(r) To license private butchers' or hucksters' stalls ;

Butchers, &c. ;

(s) To regulate the character of the vehicles in which articles may be exposed for sale on the markets, and the manner in which they shall be located on the markets ; to impose a duty on such vehicles and to establish the mode in which such duty shall be collected ;

Vehicles on
markets, &c. ;

(t) To appoint and regulate the duties and powers of inspectors of meat, and to confiscate any meat or other article of food found to be unwholesome ;

Inspectors of
meat, &c. ;

(u) To regulate the width of streets to be opened hereafter in the town, subject to the provisions of the general law, and to increase the width of those already opened ; to

Width of
streets and
grading, &c.,
thereof ;

regulate, fix and alter the height, level or grade of any street or sidewalk, provided, however, that if any proprietor shall suffer damage by the alteration made, after a grade or level has been established and fixed by the council, such proprietor shall be paid such damage, the amount of which shall be settled by arbitration ;

Awnings, &c. ; (v) To regulate the placing of awnings, or signs and show-boards, to compel the owners thereof to abate the same, and to prevent the defacing of private or other property by the posting of notices or bills thereon ;

Wheel tires, &c. (w) To regulate the width of wheel tires of waggons or drays carrying heavy loads, and to prohibit the use of such vehicles in such streets or sections of streets in the town as the council may see fit ;

Sewerage of the town ; (x) To regulate the sewerage of the town ; to raise, by assessment on the real estate of the town, any sum of money required to pay for the sewers already constructed, and for such extension of the sewers as the council may decide to make, and to apportion the cost of such sewerage and of the mains necessary for such sewerage on the town generally, and on the owners of real property abutting on the streets where such mains or pipes are laid, with the necessary extensions thereof ;

Taxation for laying pavements, &c. To levy by means of direct taxation on the real estate of those whose property, in the opinion of the council will be specially benefited in the opening, extension or widening of any street or square and the laying of pavements and other public works in the town, the whole or such part of the cost as the council may determine. The tax so imposed on the parties interested, shall be distributed between them by means of a special collection roll based on the valuation of the properties benefited as established by the valuation roll of the town ;

How to be imposed ;

Private drains ; (y) To regulate the time when private drains may be made, and also the manner and material in and of which the same may be constructed, the corporation making the same from the line of the street to the common sewer, at the cost of the owner of the property ;

Fire department ;

(z) To regulate the fire department, and to appoint all officers and men necessary for the prevention of accidents by fire, the suppression of fires and the protection of property at fires ; and to provide for the punishment of any person who may interfere with any member of the fire brigade in the execution of his duty, or who may interfere with, impede, obstruct or injure any signal-box or the wires, or other apparatus of the fire-alarm department ;

(aa) To compel proprietors of buildings occupied as hotels, theatres, manufactories, schools, places of public entertainment and other such buildings to provide the same with effectual means of escape in case of fire ; Fire escapes ;

(bb) To regulate the mode to be followed and the materials to be used in the erection and repair of buildings with a view to security against fire and the safety of the occupants ; Materials to be used in building, &c. ;

(cc) To regulate the construction, dimensions and height of chimneys, and their elevation above the roofs of neighboring houses ; Chimneys ;

(dd) To regulate the erection, use and employment of steam-engines and steam-boilers, electric dynamos and other electric machines, and the qualification of persons charged with the working of the same. Steam-engines, &c. ;

This subsection does not apply to steam-locomotives and their boilers ; Application limited ;

(ee) To prohibit, regulate or license the storage of petroleum, coal-oil, benzine, naphtha, and other inflammable liquids and also of explosive substances in the town ; Petroleum, &c. ;

(ff) To prohibit or regulate the sale and use of works, firecrackers, and all other explosive missiles ; Sale, &c., of fireworks ;

(gg) To compel all persons who desire to store lumber, timber, fire-wood, laths or shingles in the town, or to work, run or use any saw- or planing-mill, carpenter's or joiner's shop or other building or establishment wherein wood or other combustible materials are kept, to obtain the previous sanction of the council so to do, and to determine the place where such wood-yards, mills, shops or other buildings may be located and used ; Storing of lumber, &c. ;

(hh) To prevent any person residing beyond the town limits from carrying on his trade within the town, without taking out a license for each and every vehicle used in the town for the purposes of such trade and business, provided that there be no discrimination against such person ; Non-residents trading in the town, etc. ;

(ii) To authorize the issue and signature of licenses, and to prescribe the manner in which they shall be issued and registered ; Licenses ;

(jj) To regulate the cutting of ice for the supply of the town, and to prescribe the localities where such ice may be cut ; Cutting of ice, &c. ;

(kk) To prevent persons from driving in said town during the time the snow is on the ground, without having bells attached to the harness or vehicle ; Driving without bells in winter.

(ll) To compel property holders on the lines of the streets where the town sewers have been laid to connect the sewerage of their property with the town system of sewerage. Connections with town sewers ;

- Exception ; This subsection does not apply to the right of way of The Grand Trunk Railway Company ;
- Privies, &c. ; (mm) To prohibit the use of privies and cess-pools within the town, or in such parts as the council may designate ;
- Pollution of municipal waters ; (nn) To prevent the pollution of the waters of any municipal creek, river, pond, lake or water-course within or adjacent to the town ; to prevent the dumping of refuse matter therein or on the banks or shores thereof ; to provide for the cleansing and purification of municipal waters and water-courses, and to take all such steps as may be necessary to prevent any water deleterious to health from being used by or supplied to the inhabitants of the said town for domestic purposes ; to order the closing of wells, reservoirs and other water-works when required in the interests of public health, or to order the cleansing or purification thereof, and to prescribe the manner in which it shall be done ; to provide for the drainage or filling in of ponds or pools on private property when necessary for the public health, and to compel the owner or occupant of any building or grounds to remove therefrom all such rubbish and offensive substances as the council may direct ; and, upon default, to authorize the removal or destruction thereof at the expense of such owner or occupant ;
- Opening of streets, &c. ; (oo) To regulate the opening of new streets by private persons or companies, within the limits of the town, and to prohibit the opening of streets which do not coincide with the general plan and public requirements of the town, and to compel the owners of private streets and lanes to indicate to the public that the same do not belong to the town ;
- Removal of encroachments on streets, &c. ; (pp) To remove any encroachments made in, upon or over the streets or public squares of the town by means of houses, fences, buildings, projections, signs, wires, or obstructions of any kind, and to cause the removal of such encroachments or obstructions, by giving the parties making or causing the same a reasonable delay to remove them, and, in default thereof, to cause the same to be removed under the directions of the municipal officers, and to collect the sum expended therefor from the person or persons in default ;
- Granting, &c., of licenses to sell intoxicating liquors, &c. ; (qq) The council shall have the power, in its discretion, to grant or refuse any application for a license to enable the applicant to sell intoxicating liquors in the town, and the council may suspend or revoke any licenses granted by it, owing to misconduct, incompetence or violation of any by-law on the part of the person holding such license ;
- Water-works: (rr) The town corporation may make, construct, maintain and operate in the town and within a distance of twenty miles therefrom, water-works, together with all appurte-

nances and accessories necessary to introduce and convey throughout the town and adjacent parts a sufficient quantity of good and wholesome water for domestic purposes and for the other requirements of the town, including fire protection, and to construct and maintain all buildings and works in connection therewith. For this purpose, the town may acquire and hold any land, servitude or usufruct either within the town or within a radius of twenty miles from the town limits, and may acquire any necessary property, by expropriation, if necessary, in which case the procedure to be followed, is that laid down in the act 54 Victoria, chapter 38 ;

(ss) The town may also make, construct and maintain any gas- or electric light-works and plant for the lighting of the said town and the adjacent parts ; Gas- or electric light-works, &c. ;

(tt) The town may purchase any water-works, gas or electric light plant already existing in the said town, or which may be constructed in the same hereafter ; Purchase of water-works &c. ;

(uu) The council may impose, by by-law, for each and every infraction of any by-law of the town, a fine, with or without costs, and may provide for imprisonment in default of immediate payment of such fine and costs, but so that such fine shall not exceed fifty dollars, and such imprisonment shall not be for longer than two calendar months ; and where such imprisonment is ordered in default of payment of the fine, it shall cease on such payment, and where the infraction of any by-law is continuous, such infraction during each day shall constitute a separate offence ; Imposition of penalties for infringement of by-laws.

The council, in any by-law in which a license is to be granted, may fix and determine, at its discretion, the amount of the fee or tax to be paid for such license not exceeding fifty dollars. Fees on licenses.

TITLE VI

TAXATION

20. The council may, by by-law, impose and levy : Council may levy :

(a) An assessment or tax on immoveable property liable to taxation in the town, not to exceed two per cent. of the value of such property, as established by the valuation roll ; Taxes on immoveable property ;

(b) A special tax (to be called a business tax) on all trades, manufactures, occupations, business, arts, professions or means of profit or livelihood, which now are or may hereafter be carried on, exercised, or in operation by any person or company, in the town ; provided that such business tax does not exceed seven and one half per cent. on the annual Business-tax ;
Proviso ;

value of the premises, in which such trades, manufactures, occupations, business, arts, professions or means of profit or livelihood are respectively carried on ;

Special tax on transient traders, &c.

(c) A special tax on all persons who shall come temporarily into the said town to dispose of any bankrupt or other stock of goods, wares or merchandise, either by auction or at private sale, not to exceed fifty dollars ; such tax to be payable forthwith by such person or persons on demand, and, if not paid when demanded, the same may be at once collected by distress warrant signed by the mayor, who may, however, reduce the amount, in any case where the collection of the full amount appears to him to be oppressive ;

Collection thereof.

Address and execution of warrant.

Such warrant may be addressed to any bailiff, and must be executed under his oath of office, according to the same rules as apply to writs of execution *de bonis* issued by the Circuit Court.

Seizure of goods ;

The said goods may be attached, and shall be held for the payment of the said tax ;

Tax on tenants ;

(d) A special tax on every tenant paying rent not to exceed five per cent. on the amount or value of the annual rent ;

Personal tax :

(e) A special tax, not to exceed two dollars, on each male inhabitant of the age of twenty-one years and upwards, who shall have resided in the town for six months, not being a proprietor, tenant, apprentice or domestic servant.

Taxes on dogs, &c.

(f) A special tax on every dog kept in the said town, not to exceed three dollars, with power to the council to discriminate in the amount of tax between that payable for a male dog and that payable for a female dog.

From whom to be collected ;

Such tax may be collected from the owner, keeper or harbinger of such dog, and if the said tax is not paid when legally demanded by a municipal officer entrusted with the collection of the tax, then it shall be lawful for the council to order the dog, upon which the tax has not been paid, to be sold or killed or otherwise disposed of, as the council may order ;

Taxes on proprietors, &c. of hotels, &c.

(g) A special tax or duty, the amount of which shall be in the discretion of the council, on the proprietors or keepers of houses of public entertainment, taverns, saloons, restaurants, coffee-houses and eating houses ; on brewers, distillers, wholesale liquor-dealers ; on peddlers and itinerant traders selling in the said town articles of commerce of any kind ; on theatres, menageries, circuses, shows, merry-go-rounds and public exhibitions of any kind ; on all places of public exhibition kept open for profit ; on billiard-tables, pigeon-hole-tables, ten-pin alleys and other games, or on the proprietors or keepers of such places of amusement, entertainment and games ; on auctioneers, grocers, bakers, butchers, hawkers,

hucksters, carters, livery-stable keepers, traders, manufacturers, lumber-yards, wood-yards, coal-yards, slaughter-houses, money-changers, commission-merchants, exchange-brokers, pawnbrokers, banks, insurance companies, agents of insurance companies, gas companies, water companies, electric light companies, telegraph and telephone companies and on the poles of such companies; (but the annual special tax or duty on electric light, telephone and telegraph companies shall not exceed thirty dollars, and on the poles of such companies twenty-five cents on each pole); on the works, mains, pipes and appurtenances of water-works' companies, and generally on any commerce, manufacture, business or trade which has been or may be introduced into said town, and exercised or carried on or followed therein, whether the same be, or be not mentioned in this act, and whether they be or be not of the same description or kind as those herein enumerated.

A special tax or duty, not to exceed two hundred dollars a year, may be imposed on the holder of any license under the provisions of the "Quebec License Law," either for the confirmation of a certificate to obtain a license, or otherwise for the occupation for which such license may be held or required;

Tax on persons licensed under Quebec License Law;

(h) A special tax on cabs, sleighs, busses, carts, wagons, trucks and carriages of any description that may be used for hire or for the conveyance of passengers, live-stock, goods, wares and merchandize, lumber, building-material, ice and freight of any description, and regulate the same; on all horses kept in the said town over three years of age, which tax shall be recoverable from the owner, possessor or keeper of such horses;

Tax on cabs, &c.;

Tax on horses;

(i) A special tax on persons practising in the town the profession of advocate, physician, surgeon, dentist, land-surveyor, notary or other liberal profession, not to exceed ten dollars;

Tax on professional men;

(j) A special tax upon persons resident in said town, who receive therein wages or salary at a rate exceeding four hundred dollars a year, whether the said engagement be by the day, week, month, year or longer period, or the salary or wages be payable daily, weekly, monthly, yearly or in any other way, not to exceed one per cent. upon the excess above four hundred dollars.

Tax on salaries and wages.

21. The business tax imposed in subsection (b) of the preceding section shall be payable for every establishment of such trade, business or occupation in the town, when it shall be carried on by the same person, firm of persons, or company, in two or more distinct and separate buildings or places of business.

Business-tax, how payable.

Recovery of
tax on firms.

22. In the case of any tax imposed on the partner of a firm or company of merchants, in respect of the business of such firm or company, such tax may be claimed and recovered in the manner prescribed for the recovery of the assessments or taxes imposed by the council, either against such partner, or against the firm or company of which he is a member.

Basis of
assessment of
immoveable
property.

23. In assessing immoveable property, the valutors shall take, as the basis of their assessment, the actual value of such property at the time of making the assessment; they shall, moreover, specify and include, in the assessment roll, the rental of such property, and if they consider that the rent as given does not represent, or is disproportionate to the annual value of such property, they shall insert in the valuation roll the actual annual value thereof. It shall be their duty, in case several tenants occupy a property, to establish the proportion which each such tenant or sub-tenant has to pay of the total amount of the tax or assessment imposed upon such property.

In case several
tenants occu-
py property.

If property
occupied by
owner.

If the property is occupied by or is in the possession of the owner, they shall determine the rent, according to the amount at which, in their judgment, the property might be rented, or ought to produce, if rented; provided always that the council may fix an amount as the basis of valuation, during a given number of years, not to exceed twenty-five years, for the assessments to be levied on property in the town held by any railway company, to be used as workshops for the manufacture, on a large scale, of cars, locomotives or machinery.

Basis of
valuation.

Agricultural
lands.

The assessors, in assessing real estate in the town, shall take as a basis for their valuation the actual value of the property. Nevertheless, in determining the value to be given to lands used for agricultural purposes situated within the limits of the town, regard must be had to the value of such lands and the buildings thereon for agricultural purposes only.

Valuation of
land subdivi-
ded into
building lots,
&c.

When a portion of the territory above described is subdivided into town lots, and buildings are erected thereon, such portion shall cease to be considered and valued as farming lands; and all lots at present subdivided and built upon are not included in the description of farming lands, but shall be valued according to the general system of valuation.

Taxes payable
annually.
Exception.

24. Every tax, duty or assessment imposed by virtue of the foregoing provisions, except that imposed under subsection (c) of section 20 of this act, shall be payable annually and at the time fixed by the by-laws.

25. The taxes authorized by subsections (*f*), (*g*) and (*h*), of section 20 of this act, may, in the discretion of the council, be imposed and levied in the form of a license, and thereupon such tax shall be payable annually, at such time and under such conditions and restrictions as the council may determine.

Licenses for certain taxes.

26. When any immoveable property within the limits of the town is exempt from taxation under this act, or any other law or statute, and is occupied by any person otherwise than in an official capacity connected with the ground of such exemption, the tenant or occupant of such property shall be assessed in respect thereof, to the extent to which such property would have been chargeable, if not exempted; but the property itself shall not be liable for such assessment.

Taxation of tenants or occupants of property not liable to taxation.

27. The council, may, by by-law, provide that persons paying the special tax imposable under subsections (*g*) and (*i*) of section 20 shall be exempt from the business-tax imposable under subsection (*b*) of the said section, upon the same business, trade, profession or occupation.

Persons paying certain tax may be exempted from certain other tax.

TITLE VII

COLLECTION OF TAXES

28. Payment of municipal or school taxes may be claimed by an action brought in the name of the corporation, before any court of competent jurisdiction.

Suits for municipal or school taxes.

Such actions shall be deemed summary matters and tried according to the rules in such cases provided.

Summary matters.

29. In all cases in which the assessments or taxes imposed on real estate are two or more years in arrears, and it is established by a certificate of the bailiff entrusted with a distress warrant or execution *de bonis*, that there is no moveable property of the debtor in the town out of which such taxes and costs can be recovered, the secretary-treasurer may proceed to sell such real estate by observing the following formalities :

Sale of real estate upon which two years or more of taxes are due when there are no moveables.

The said secretary-treasurer shall, before the eighth day of January in each year, prepare a list containing the names of all persons indebted for two years of municipal or school taxes as imposed upon immoveable property held or occupied, according to the valuation roll, by such persons, adding all other charges against the said real estate, which may be then due or payable to the said corporation; a short description of the lands subject to the payment of said

List to be prepared by secretary-treasurer and what to contain.

arrears of municipal or school taxes and other charges ; the total amount of arrears for which the said property is liable for municipal or school taxes and other charges.

Notice to accompany list.

Such list shall be accompanied by a notice setting forth that such lands are to be sold at public auction at the office of the secretary-treasurer of the said council, on the first Monday of March next ensuing, or on the first juridical day following, if such Monday be a legal holiday, at ten of the clock in the forenoon, in default of the payment of the taxes and charges for which they are liable, and costs incurred.

Publication of list and notice.

(a) Such list, and the notice which accompanies it, must be published in the French and English languages, three times during the month of January in the *Quebec Official Gazette*, and in two newspapers, one in French and one in English, published in the said town, or, if there be newspapers published in one language only, in the said town, then such list and notice shall be published in both languages in such newspaper ; the secretary-treasurer shall, before the fifteenth day of January, apply to the registrar of the registration division for a list of the hypothecary claims upon the lands to be so sold, which list the registrar shall be bound to furnish, with the addresses, as ascertained from his books, immediately, and the expenses thereof shall form part of the costs of sale. The secretary-treasurer shall notify each hypothecary creditor, by registered letter, through the post-office, at least one month before the day of the sale, of such intended sale.

Registrars' certificate to be obtained.

Notice of sale to hypothecary creditors.

Sale of property so advertised.

(b) At the time appointed for the sale, the secretary-treasurer of the said council, or some other person for him, shall sell, to the highest and last bidder therefor, the lands described in such list, upon which taxes or charges are still due, after making known the amount to be levied on any such lands, including the costs incurred for the sale.

Who becomes purchaser.

(c) Whoever then shall be the last and highest bidder shall become the purchaser of the land thus sold, and the said land shall at once be adjudged to him by the secretary-treasurer or other person who shall sell such land.

Payment upon adjudication.

(d) The purchaser of all lands thus sold shall pay the amount of the purchase price, immediately upon the adjudication thereof.

In default of immediate payment.

(e) In default of immediate payment, the secretary-treasurer shall either at once again put up the land for sale, or shall postpone the sale for eight days, by giving notice of such postponement to all persons present in an audible and intelligible voice, and by publishing such notice in two newspapers published in the French and English language in the said town, or in both languages in one paper, if

papers in each language are not published in the said town ; but the purchaser may prevent the resale by paying into the hands of the secretary-treasurer, before the time fixed for the resale, the amount of the purchase money and all additional costs incurred in consequence of the postponement of the sale.

(f) If no bid is made, or if all the lands advertised cannot be sold on such first Monday in March, or following day, if such Monday be a legal holiday, as aforesaid, the sale shall be postponed for eight days, and notice thereof given in the manner prescribed in the preceding paragraph.

If no bid made or property not all sold, adjournment for eight days.

(g) Upon payment by the purchaser of the amount of the purchase money, the secretary-treasurer shall execute, in the name of the corporation, a deed of sale and conveyance of the land so sold to such purchaser, under his signature and the seal of the corporation, and shall deliver a duplicate thereof to the purchaser upon his paying the costs of the deed and the registration thereof ; and the secretary-treasurer shall immediately cause the same to be registered in the proper registry office.

Deed of sale to be given to purchaser on payment.

(h) The corporation of the town may bid at the sale of such immoveable property thus put up for sale, and may become the purchaser thereof through the mayor or other person authorized by the council, without being held to pay forthwith the amount of the purchase money.

Corporation may bid at sale.

(i) In the case of the sale of any immoveable property under the provisions of this section, the owner or his representative, or any person on his behalf, may, within two years of the date of the adjudication of the said property, redeem the same, by paying to the secretary-treasurer of the town the amount for which the property was sold, together with the costs of sale, and all subsequent costs, if any, incurred in connection with the carrying out of this act, together with interest at the rate of fifteen per cent. per annum on the amount of such monies, every fraction of a year to reckon as a year.

Redemption of land so sold.

(j) If, within the said period of two years, the property has not been so redeemed, the purchaser remains the irrevocable proprietor thereof.

If not redeemed.

(k) When the price for which the said land has been sold shall exceed the amount due the corporation for taxes, interest and costs, the secretary-treasurer shall, as soon as possible after the expiry of the said term of one year without redemption, apply for and obtain from the registry office, a registrar's certificate of encumbrances existing upon the property so sold ; which certificate the said registrar is hereby

Proceedings if land has been sold for more than amount due to corporation.

authorized and required to furnish, and which shall be in form and substance similar to those furnished to the sheriff in case of a sheriff's sale; and, immediately upon receiving such certificate, the secretary-treasurer shall deposit the same together with the surplus money in his hands as aforesaid, and interest thereon, (first deducting the expense incurred subsequent to the adjudication,) with the prothonotary of the Superior Court for the district of Saint Francis.

Prothonotary to prepare report of distribution after deposit of certificate and money.

(l) When the secretary-treasurer has so deposited with the prothonotary of the Superior Court the certificate and money as aforesaid, the prothonotary of the Superior Court shall prepare a report of distribution of the said money in accordance with the rights of the claimants thereto; and all proceedings as to the filing of claims, and the making, contesting and homologating of the said report shall be the same as in ordinary cases in the Superior Court after the return of monies levied by the sheriff, save that in case of claims bearing interest, such interest shall be calculated up to the date of the deposit of the money instead of the date of the adjudication and sale, and the same delay shall apply and the same notices be given as in ordinary cases in the Superior Court.

Purchaser may require owner to indemnify him for repairs, &c.

(m) The purchaser may compel the owner to indemnify him for all necessary repairs and disbursements made to or on account of the property so redeemed, and to reimburse him the amount of taxes paid, with interest on the whole at the rate of fifteen per cent. per annum, every fraction of a year being reckoned as a year.

Notice to registrar when land redeemed.

(n) When any land is redeemed under the provisions of this act, the secretary-treasurer must, with all convenient despatch, give notice of such redemption to the registrar and to the purchaser, and, on demand, remit to the latter, the amount paid by him, less two and one half per cent. on the purchase money.

Municipal sale to be stopped if land also advertised by sheriff.

(o) If, before the adjudication of any immoveable property by the secretary-treasurer, the same be seized by the sheriff, the secretary-treasurer, upon being notified thereof in writing by the plaintiff in the suit, his attorneys, or the sheriff, shall complete his advertisement, but shall not proceed to sell the same and shall file an opposition with the sheriff or the prothonotary of the Superior Court for the amount of the taxes, interest and costs; but if the sheriff's sale is delayed by opposition or otherwise, the corporation of the town may then, after two weeks' notice given as provided in subsection (a) of this section, proceed upon a day fixed by such notice to the sale of the said property.

To proceed if sheriff's sale stopped by opposition, &c.

TITLE VIII

GENERAL PROVISIONS

30. The by-laws of the council shall be held and taken to be public laws of the town, and, as such, shall be judicially taken notice of by all judges and other persons whomsoever, without being specially pleaded.

By-laws, public laws within the town, &c.

31. Any person contravening any of the provisions of this act or of the by-laws of the town, a penalty for the infraction of which is not provided in this act or in the said by-laws, shall incur a penalty not exceeding twenty dollars.

Penalty for contraventions if not otherwise provided.

32. The secretary-treasurer, the assistant secretary-treasurer or any bailiff of the Superior Court may serve and post up any notification required by this or the general act and make a return thereof under his oath of office.

Service of notices, &c.

33. No suit for damages arising from any offence, quasi-offence, illegality or neglect shall be taken against the town corporation, without thirty days' notice of such suit being given in writing to the secretary-treasurer, and, if the suit is taken in the name of a person who is not a rate-payer, he must deposit ten dollars with the clerk of the court on the issue of the summons, to guarantee the costs of the town.

Notice to be given of suits for actions of damages, &c.

Deposit required in certain cases.

34. The council may raise money by temporary loans on promissory notes or otherwise upon resolution of the council without submitting the matter for the approval of the rate-payers, the amount not to exceed two thousand dollars outstanding at any one time.

Temporary loans.

35. The law respecting town corporations, being articles 4178 to 4615, inclusively, of the Revised Statutes of the Province of Quebec, apply to the town of Richmond, but in so far only as they are not inconsistent with the provisions of this act, and the powers by the general act conferred on the town, the council and its officers are to be considered as supplementary to those herein given.

Law applicable.

The following articles of the said Revised Statutes do not apply to the town of Richmond, viz. : 4194, 4195, 4227, 4229, 4231, 4234, 4237, 4238, 4239, 4240, 4241, 4256, 4257, 4258, 4263, 4264, 4290, 4414, 4556, 4560, 4614.

Certain articles of Revised Statutes not applicable.

36. No by-law to grant aid in any form to any manufacturing, commercial or industrial establishment, or to any person introducing or operating or carrying on any manufacturing, commercial or industrial establishment or any

Approval of electors to grants by council.

private enterprise, or to grant exemption from taxation thereto, shall come into force until it is approved of by a majority in number and real value of the proprietors of real estate whose names appear in the valuation roll, which approval must be declared by a vote taken in the manner prescribed in articles 4531 to 4537 of the Revised Statutes.

General
repeal and
effect thereof.

37. All acts affecting the town of Richmond, inconsistent with the provisions of this act, are hereby repealed ; but the repeal of such acts shall not be understood as affecting any rights accrued, any matter or thing done or required to have been done, contracts or agreements made by or with the town, appointments, resolutions, decisions, orders and other proceedings of the council, debentures, promissory notes, shares or obligations issued, or by-laws made under and by virtue of such acts, or rolls of assessment ; but such matters and things, debentures, promissory notes, obligations, by-laws and rolls of assessment or valuation, and the sinking funds to be provided, shall continue to be regulated by such acts, until they shall be changed, altered, replaced or repealed by any proceeding adopted in virtue of this act, in which case, all such matters and things, resolutions, decisions, orders or proceedings, debentures, promissory notes, contracts, agreements, appointments, obligations, by-laws or rolls of assessment or valuation shall be regulated and controlled by this act.

Coming into
force.

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

CHAP. 51

An Act to amend the act 56 Victoria, chapter 59,
incorporating the town of St. Laurent

[Assented to 28th March, 1901]

Preamble.

WHEREAS the town of St. Laurent has, by its petition, represented that the act 56 Victoria, chapter 59, incorporating the town of St. Laurent, no longer meets the requirements of the said municipality, and in particular that it is necessary to define the boundaries of the said municipality in a precise manner ;

Whereas it has prayed for amendments to its charter, and it is expedient to grant its prayer ;

Therefore, His Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :