

**35.** Section 256 of the act 44-45 Victoria, chapter 75, is Id., s. 256, replaced. replaced by the following :

“**256.** The town corporations general clauses act, 40 Laws applicable. Victoria, chapter 29, shall not apply to the town of Longueuil, Nevertheless section 1 of the act, 56 Victoria, chapter 33, shall apply to the town of Longueuil ; less that part thereof which refers to immoveables belonging to railway companies.”

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

#### CAP. LXIV

An Act to amend the acts respecting the town of Lachine.

[Assented to 10th March, 1899]

**W**HEREAS the town of Lachine has, by petition, Preamble. represented that it is expedient to amend the various acts concerning it and to add certain other provisions thereto, among others, respecting the number of its councillors, the term of office of the mayor, the qualification of the electors, the borrowing power, the general system of sewerage, the establishment of a recorder's court, and the sale of immoveable property by the town of Lachine for taxes ;

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

**1.** From and after the general elections of the year 1900, 33 V., c. 53, s. 3, replaced. inclusively, section 3 of the act 36 Victoria, chapter 53, as amended by section 4 of the act 38 Victoria, chapter 78, shall be replaced by the following :

“**3.** The council of the town of Lachine shall be composed Composition of council. of a mayor and nine councillors. There shall be three councillors for each ward, designated respectively by the numbers one, two and three. The council shall, by by-law, assign to the councillors already elected or to be elected one of such numbers. The mayor and councillors compose the council of the town of Lachine and represent for all lawful purposes the corporation of the town of Lachine.

The councillors whose term of office shall not have expired Councillors in office at general elections of 1900. at the time of the aforesaid general elections of 1900, shall continue in office until the expiration of their term. There shall be, at the general elections of 1900, only the election of Who to be elected at such election. the mayor, the three councillors going out of office and the three new councillors. Thereafter, there shall be an election Subsequent elections. for mayor and councillors as their term of office shall expire.”

Id., s. 8, § 4,  
replaced.

**2.** From and after the aforesaid general elections of 1900, paragraph 4 of section 8 of the act 36 Victoria, chapter 53, shall be replaced by the following :

Term of office  
of mayor and  
councillors.

“ 4. The mayor and councillors shall be elected for two years, and shall remain in office until their successors enter into office.”

Id., s. 8,  
amended.

**3.** Section 8 of chapter 53 of the act 36 Victoria, chapter 53, as replaced by section 7 of the act 38 Victoria, chapter 78, is amended by adding thereto, after paragraph 8g, the following :

Written nomi-  
nations for  
mayor and  
councillors  
and proceed-  
ings at nomi-  
nations.

“ 8h. The mayor and each of the councillors may also be nominated by means of a written requisition signed by at least six qualified electors, whose signatures shall be acknowledged and established by means of an affidavit by any person of full age taken before a justice of the peace or a commissioner of the Superior Court of the district. In such case, it shall not be necessary for the electors subscribing the requisition to be present in person during the hour of nomination. The requisition so made shall be presented to the officer presiding the election by the candidate himself or by any person for him during the hour for nomination.”

Id., s. 9, § 5,  
replaced.

**4.** From and after the aforesaid elections of 1900, paragraph 5 of section 9 of the act 36 Victoria, chapter 53, shall be replaced by the following :

Quorum of  
council.

“ 5. Five members of the council shall constitute a quorum.”

38 V., c. 78,  
s. 6, § 2, re-  
placed.

**5.** Paragraph 2 of section 6 of the act 38 Victoria, chapter 78, is replaced by the following :

Payment of  
taxes before a  
certain time  
required be-  
fore having  
right to vote.

“ 2. No person qualified to vote at any municipal election in the said town, shall have the right of having his vote registered, unless he shall have, on or before the Saturday before such voting, paid his municipal and school taxes and all other dues then due, other than the assessments or taxes and municipal and school taxes on real estate, provided such person does not owe more than one year of such municipal and school taxes and dues upon such real estate.”

Id., § 4, re-  
placed.

**6.** Paragraph 4 of section 6 of the act 38 Victoria, chapter 78, is replaced by the following :

Production of  
receipt for  
payment of  
taxes may be  
required of  
elector,

“ 4. It shall be lawful for any candidate at any such election of mayor or of councillor of the said town, and for any person representing any candidate at any election in the said town, to require from the municipal electors the production of the receipts or certificates of the secretary-treasurer, establishing the payment of the taxes and municipal and school dues then payable, other than assessments or taxes and municipal

and school dues on real estate as specified in the preceding paragraph 2, or, in default of receipt or certificate, to require an oath from the voter that such taxes and municipal and school dues then payable are paid and had been paid on or previous to the Saturday before the voting.”

Or oath that taxes have been paid.

7. Schedule A at the end of the act 55-56 Victoria, chapter 54 is replaced by the following :

55-56 V., c. 54, schedule A, replaced.

### “SCHEDULE A.

#### ELECTOR’S OATH.

You swear that you are (*name, residence and occupation* Oath. *of the elector, as entered on the list*), whose name is entered on the list of electors now shown to you (*exhibiting the list to the elector*), that you are a British subject, that you are twenty-one years of age, that you have not already voted at this election, that all your taxes and municipal and school dues now payable other than the assessments or taxes and municipal and school dues on real estate, with the exception of last year, have been paid conformably to the provisions of the charter of this town, and that you have not received anything, and that nothing has been promised you, either directly or indirectly, to induce you to vote at this election.\* So help you God.”

8. Section 43 of the act 36 Victoria, chapter 53, as replaced by section 5 of the act 52 Victoria, chapter 83, and by section 8 of the act 55-56 Victoria, chapter 54, is again replaced by the following :

36 V., c. 53, s. 43, replaced.

“43. The said town council may, from time to time, borrow sums of money up to four hundred thousand dollars, including the one hundred and fifty thousand dollars already borrowed, to be appropriated to public improvements in the town, to the erection of one or more markets, to the drainage of the streets, providing a water supply, lighting, and to all other purposes which the council may consider necessary and advantageous, and which shall be mentioned in the by-laws.”

Power to borrow certain sum for certain purposes.

9. It shall be lawful for the council of the town of Lachine to establish, by by-law to that effect, a system of sewers in the town or in any part thereof, which may be built by the town or otherwise as the council may deem expedient.

Power to establish system of sewerage for town and to expend money therefor, and issue of bonds for such purpose.

To that end and to meet the expenses occasioned by the establishment of such a system, the town of Lachine is authorized to borrow, within the limits of its borrowing power, a sufficient amount for which it shall issue bonds redeemable in forty years and bearing interest at a rate not

exceeding four per cent. Such interest shall be paid out of the general funds of the town, which, with the view of increasing such general funds for that object, shall have power to impose a special tax on the real estate in proportion to the value of such real estate as shown on the valuation roll.

Renewal of  
loan, &c.

When the time shall come for the repayment of the said loan, the town of Lachine may either renew it, or effect another for a further period not exceeding forty years, or repay it by means of a special assessment on real estate in proportion to the value thereof as shown on the valuation roll.

Power to ex-  
cavate streets  
&c., for drain-  
age, &c.

**10.** The town of Lachine shall have the necessary powers to excavate all streets, lanes and public or private roads in the town for the purpose of constructing its drains or laying its pipes, provided that such streets, lanes and public or private roads have been open to the public.

Power to pur-  
chase, &c.,  
property for  
main drain,  
&c.

**11.** The town of Lachine is authorized to purchase or acquire, take possession of, and enter in and upon any land or property whatsoever within the limits of the town, for the purpose of constructing a main or common sewer, or a discharge for a common sewer or for its sewerage system, or any other improvement deemed necessary, by mutual agreement with the owners or other persons interested, or by expropriation according to law.

Immediate  
possession  
may be taken.

But, in any case, to avoid delay in the execution of such works, the council is authorized to take immediate possession of the land considered necessary for the construction of the said sewers.

Construction  
of private  
drains.

**12.** The council of the town may, in its discretion, determine the manner in which and within what delay private drains shall be made, after the common sewer is made in any street or part of a street.

Cost of such  
drains.

Owners of real estate are bound to make private drains up to the line of the road or street at their own expense within the delay and in the manner prescribed by the by-law or by-laws to that effect; they are also bound to their maintenance.

Outlet for  
sewerage may  
be acquired.

**13.** The town of Lachine may make special arrangements with any municipality or person or public body to secure an outlet for its sewerage; but, in the event of such outlet being refused, the town shall have the right to conduct the sewerage to the most convenient point in the river St. Lawrence, through such lands as may be necessary, but upon paying therefor such reasonable compensation as may be established by arbitration or by mutual consent.

**14.** After drains are made in any street or in any part of a street, the council may compel proprietors who have privies on their property to remove them within a specified delay, and to replace them by water-closets, and order that each lodging be provided with them.

Privies, &c. may be removed after drains are built., &c.

**15.** It shall be lawful for the town of Lachine, by by-law, to establish a court of record called "the recorder's court." For that purpose all the articles of the act of the Province of Quebec, 60 Victoria, chapter 62, respecting the recorder's court of the city of St. Henri, from article 549, inclusively, to article 616, also inclusively, shall apply to the town of Lachine, and form part of its charter, the name of the town of Lachine being substituted for that of the city of St. Henri wherever necessary.

Establishment of recorder's court. 60 V., c. 62, art. 549 to 616 to apply.

All the said articles shall remain in force for the town of Lachine, so long as they are not amended for itself.

How long to be in force.

**16.** Articles 550 and 552 of the act 60 Victoria, chapter 62, are replaced, as regards the town of Lachine, by the following :

60 V., c. 62, arts. 550 and 552 replaced for town.

The recorder shall be appointed by the Lieutenant-Governor in Council ; he shall be *ex officio* a justice of the peace for the district of Montreal and be vested with all the rights and powers of one or of two justices of the peace and those of the recorders' court. It shall not be necessary for the recorder to be an advocate, so long as the aforesaid council shall not decide, by a by-law to that effect, that from the date specified in such by-law the recorder shall be an advocate of at least five years' practice, and the salary of the said recorder shall also be fixed by by-law, but shall not exceed three hundred dollars per annum.

Appointment of recorder.

Need not be advocate.

Salary of recorder.

**17.** Section 31 of the act 38 Victoria, chapter 78, is replaced by the following :

38 V., c. 78, s. 31, replaced.

**31.** The secretary-treasurer shall make out, from time to time, a list containing a sufficient designation of the properties, the sale of which by public auction shall have been ordered by the said council as aforesaid, and he shall give, within fifteen days after such order shall have been given, a public notice in the manner prescribed for the publication of the by-laws, of the day, hour and place where such sale by public auction shall take place, and such notice and copies thereof to be posted up, shall be respectively accompanied with a copy of the list of the properties to be so publicly sold. The above public notice and the list which shall accompany it, shall be published twice in the French and English languages in the *Quebec Official Gazette*, before such sale ; such sale shall not take place before fifteen days at least after the first insertion of the said notice and list in the said *Official Gazette* ; provided always, that

List of properties indebted for taxes to be made by secretary-treasurer.

Publication of notice in *Quebec Official Gazette*. Sale thereafter.

- Redemption.** all owners of real estate sold under the authority of this section, shall be allowed to resume possession of the same within the space of two years next after the date of such sale, on paying to the purchaser the full amount of the purchase money, with legal interest thereon, and any necessary outlay which may have been made on the said property by order of the said council under this act, on condition, however, that the said purchaser shall have kept the said property in the same state and condition in which it was at the time of the purchase, and shall not have damaged it or allowed it to deteriorate, and moreover the costs incurred to make such sale, and in addition five per centum over and above the interest as well on the amount of purchase money and costs as on the price of the said outlay ; and provided
- Further proviso.** also, that if, after such sale of property, any surplus shall remain over and above the sum due to the said council, for assessment and costs, such surplus shall be deposited by the said secretary-treasurer in the office of the prothonotary of the superior court of the district of Montreal, to be paid to the person entitled thereto.
- Effect of sale.** Such sale shall have the effect of freeing the immovable sold from any hypothec or charge whatsoever as if it had been made by the sheriff of the district."
- Coming into force.** **18.** This act shall come into force on the day of its sanction.

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C A P . L X V

An Act to consolidate the acts incorporating the town of  
Farnham.

[Assented to 10th March, 1899]

**Preamble.** **W**HEREAS the corporation of the town of Farnham has, by its petition, set forth that it is necessary to amend and consolidate the acts 40 Victoria, chapter 47, and 49-50 Victoria, chapter 52, respecting the said corporation, and has prayed that more ample and better defined powers be granted to it ; and whereas it is expedient to grant its prayer ;

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