

23. In case the council of the city, in accordance with the provisions above mentioned, should decide to contribute towards the cost of the special improvements authorized by the present section, the proportion of the city generally in the cost of such improvements shall be two-fifths, and that of the proprietors interested shall be three-fifths.” Proportion to be contributed by city.

29. Notwithstanding any provisions contained in the by-laws or ordinances passed by the councils of the city of Hull, and of the village of Gatineau Point, respecting the construction of Gatineau bridge, it shall be lawful for the councils of the said municipalities to make all arrangements which may be deemed expedient to impose tolls for passing over such bridge. Tolls over Gatineau bridge.

All such arrangements which may be so made between the said corporations of the city of Hull and of the village of Gatineau Point, shall, before having force and effect, receive the approval of the Lieutenant-Governor in Council. Approval of certain arrangements required.

30. The provisions of the law governing town corporations, contained in chapter first of title eleventh of the Revised Statutes, (articles 4178 and following) shall apply to the city of Hull in all matters or subjects not provided by the act 56 Victoria, chapter 52, or by the present act. Certain law to apply to the city.

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

CAP. LVII

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

[Assented to 15th January, 1898]

WHEREAS the town of Maisonneuve was incorporated by the act 46 Victoria, chapter 82, under the name of the town of Hochelaga, and amendments to such charter are contained in several subsequent statutes ; Preamble.

Whereas, in consequence of the increase of the town, it is necessary to consolidate and amend the acts that govern it, and it is expedient to grant the prayer to that effect ;

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

TRANSITORY PROVISIONS

1. The corporation hereby constituted is substituted for that already existing, under the name of the town of Maisonneuve, Corporation succeeds former corpo-

ration of
Maisonneuve
in all rights.

neuve. It succeeds the latter in all its rights, powers, privileges, property, actions, obligations and claims, and nothing in this act shall be interpreted as diminishing them in any manner.

Present may-
or and coun-
cillors, &c.,
continued in
office.

2. The mayor, the councillors and all the present municipal officers and employees of the town shall remain in office until the expiration of their term of office and until they are replaced according to law.

Their powers.

They are vested with the same powers, rights and privileges conferred by the acts repealed by this act, and shall remain subject to the duties imposed by the same laws, saving judgments rendered, pending cases, and the disabilities established by laws in force.

Present by-
laws, &c.,
continued.

3. All the by-laws, assessment and valuation rolls, *procès-verbaux*, accounts of amounts due, orders, lists, plans, resolutions, ordinances, agreements, provisions, exemptions from taxation, engagements or acts whatsoever, done, passed or consented to by the town of Maisonneuve, shall continue to have full force and effect until repealed, amended, set aside or fulfilled, as if this act had not been passed.

Existing
notes and
obligations
valid.

4. All notes, bonds, debentures and obligations of the town of Maisonneuve, now in existence, shall have their full force and effect, as if this act had not been passed.

INCORPORATION OF THE TOWN

Inhabitants
constitute a
corporation.
Name.

5. The inhabitants of the town of Maisonneuve and their successors for ever are constituted a corporation and body politic under the name of the "Town of Maisonneuve."

Limits of
town.

6. The boundaries and limits of the town of Maisonneuve shall be as follows, to wit :

All that territory of irregular form, situate and being in the county of Hochelaga, in the district of Montreal ; bounded in front, to the south-east, by the middle of the river St. Lawrence ; in rear, to the north-west, by the boundaries of the municipality of the village of *la Côte Visitation*, as fixed by a proclamation of the twenty-fifth of October, eighteen hundred and seventy, constituting the said municipality ; on one side, to the south-west, by the limits of the city of Montreal ; and on the other side, to the north-east, by the parish of Longue Pointe,—as laid down upon a plan of the town made by Emile Vanier, provincial land-surveyor, and homologated by the Superior Court of the district of Montreal, on the 22nd October, 1891.

Division into
wards.

7. The town shall be divided into three wards, which shall be respectively designated and known as "East ward," "Centre ward" and "West ward."

Their boundaries shall be those determined by the by-laws of the town. Limits how to be determined.

8. Whenever a ward of the town shall contain more than four hundred municipal electors, the town council may, upon a petition to that effect, signed by at least twenty-five municipal electors in that ward, and presented in the usual manner, after causing the number of electors in such ward to be ascertained by the secretary-treasurer of the council, either alter the boundaries of the ward so as to reduce the number of electors to at least four hundred, or allow such ward an additional councillor, and, in the latter case, the number of representatives shall be increased to three. Division of ward if it contains more than certain number of electors.

Nevertheless the number of councillors for each ward shall never exceed three. Number of councillors for each ward.

The election of these new councillors shall take place in the usual manner. Election of new councillors.

COMPOSITION OF THE COUNCIL

9. The council of the town shall consist of a mayor and six councillors, elected in the manner hereinafter prescribed; the whole subject to the provisions of section 8 of this act. Composition of council.

The quorum shall be three councillors, besides the mayor or person presiding over the council. Quorum.

MUNICIPAL ELECTORS

10. Every person shall be a municipal elector, and as such shall have the right to vote at the election of mayor and councillors, and to exercise all the rights and privileges conferred on municipal electors by the provisions of this act, who, at the time he exercises such rights and privileges, has complied with the following conditions: Qualification of elector.

1. He must have attained the age of majority and be a British subject; Be a British subject., &c. :

2. 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, or as an institute in a substitution, or usufructuary, as appears by the valuation roll in force, as proprietor of real estate, of the actual value of at least one hundred dollars,—if the property belongs jointly to several owners, each of them shall be entitled to a vote by reason of his share, provided that, according to the valuation roll, the share of each be at least one hundred dollars,—or as tenant farmer, or lessee, or as occupant, by any title whatsoever, of real estate of the annual value of at least twenty dollars; such tenant or occupant must also be of the male sex and have been a *bonâ fide* resident of the town for Be proprietor, &c., of certain property, &c. :

at least six months; the valuation roll shall be proof of the value of his real estate and shall render any other evidence unnecessary;

Have paid all taxes, &c. ;

3. He must have paid all the municipal and school taxes and all other municipal dues payable by him at the period of his exercising such right as elector;

Name must be on valuation roll.

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

Right to vote of certain proprietors.

11. If any person possess in the municipality, as proprietor, parcels of real estate, the value of which does not amount to one hundred dollars each, and which are situated in different wards, he may, provided the total value of such real estate together be at least one hundred dollars, vote in the ward in which he resides, for the election of mayor, and for the election of the councillors of such ward.

Electors to vote once only for mayor and once for each councillor when qualified.

12. No person shall vote more than once for the election of mayor and once for the election of councillors of each ward, in which he is qualified to vote, under a penalty not exceeding twenty dollars and of imprisonment not exceeding two months in default of payment.

MUNICIPAL ELECTIONS

When general elections are held, &c.
When nominations are held, &c.

13. The general and annual elections in the town shall be held in the month of March of each year.

The nomination shall take place at the hour of ten in the morning, on the second Monday of March, and the voting, when necessary, shall take place on the third Monday of the same month.

Qualification of mayor and councillors.

14. No person can be elected mayor or councillor, or occupy either of such offices, unless :

1. He is of the male sex, of full age and a subject of Her Majesty ;

2. He is able to read and write ;

3. He has had his residence or place of business within the limits of the town during the six months preceding his election ;

4. He possesses as proprietor, for at least twelve months, in his own name, immoveable property therein of the value of two thousand dollars in all, over all charges and hypothecs upon the same for the office of mayor, and one thousand dollars for that of councillor.

Declaration to be filed by mayor and

15. No one can fill the office of mayor or councillor or even be nominated for the said offices, unless he has previously

deposited and placed in the hands of the secretary-treasurer a sworn declaration under his signature, stating that he is qualified according to law and that he possesses the required qualification and containing a detailed description of the immoveable in respect whereof he is qualified.

councillors before taking seat.

16. Every councillor who votes at a meeting of the council or of a committee, without being duly qualified as required by law, shall be liable to a fine of one hundred dollars, for each such vote given by him at the council or in committee, and imprisonment not exceeding two months in default of payment.

Penalty on councillor voting without being qualified.

17. Whenever the mayor or a councillor transfers or, in any manner whatsoever, disposes of the immoveable in respect of which he is qualified or mortgages the same in such manner as to affect the amount required for his qualification, two duly qualified electors may present a petition to the council to have the mayor or such councillor, as the case may be, compelled to produce the title of another immoveable by which he may be qualified, and, in default of his so doing within a delay of thirty days, his seat shall become vacant.

When property upon which mayor or councillor is qualified disposed of, he may be required to substitute others.

18. The mayor and councillors of the town shall be elected for two consecutive years; but in such manner that, every year, three councillors shall go out of office, one for each ward.

Term of office of mayor and councillors.

19. Eight days before each general or partial election, public notice shall be given by the secretary-treasurer or by the mayor, announcing such election and calling upon the electors of the municipality to attend a general meeting for the nomination, at the place and date indicated.

Notice of general, &c., election.

20. In all municipal elections for the office of mayor or of councillor for the town, the voting shall be by ballot; and, for that purpose, articles 223 to 226, inclusively; 252 to 258, inclusively; 269, 274 and 275, replacing the words "twenty-five" in the two latter articles by the word "seven"; 276, 277, 285, 286, 292 to 307, inclusively; 308 to 318, substituting the form contained in article 4250 of the Revised Statutes for that contained in article 318; 319 to 356, inclusively; 357 replacing the words "Clerk of the Crown in Chancery" in the latter article by the words "council of the town of Maisonneuve;" 364, replacing the words: "In case the applicant deposit within the same time, with the clerk of the court, the sum of fifty dollars", at the beginning of the second paragraph of that article, by the words: "In case the applicant give good and sufficient security;" 365 to 370, re-

Voting to be by ballot and law to apply.

placing the words "Clerk of the Crown in Chancery" in the last article by the words : "council of the town of Maisonneuve;" 371, 375, 377, 381, 391, 392, 395 to 406, inclusively, of the Revised Statutes, shall apply to the said elections *mutatis mutandis*.

Secretary-treasurer to act as returning-officer.

The secretary-treasurer or person mentioned in article 4237 of the Revised Statutes shall in all cases act as returning-officer with all the powers of a deputy returning-officer.

ANNUAL APPROPRIATIONS

Provisional appropriations for certain purposes.

21. Every year, during the month of December, the council shall grant provisional appropriations, intended to cover the ordinary current expenses of the town, for the period of the fiscal year between the first day of January following and the date when the final appropriations shall be determined.

Annual appropriations, for :

At one of the meetings, which shall immediately follow the elections, the council shall vote the necessary amounts to meet the expenses of the current fiscal year, by providing :

Interest on debt ;

1. For the payment of the interest on the debt due by the town, and the sum required, during the year, for the sinking fund, if there be any ;

General expenses ;

2. For the general and ordinary expenses of the town ;

Improvements ;

3. The sum required for projected improvements ;

Reserve fund.

4. For a reserve fund out of the gross receipts of the previous year, which shall be exclusively used in meeting unforeseen expenses.

How to be expended.

No moneys of this reserve fund can be expended without a favorable report of the finance committee, adopted by the council.

Amount of appropriations limited.

22. The amount, so appropriated, shall never exceed the amount of the receipts of the previous year, added to the unexpended balance of the said receipts, and the council or its committees cannot expend more than the total amount so appropriated ; but the council may alter the mode of expending the sums allowed to each committee, or take away from one and give more to another, and make any by-law in connection with the administration of the finances of the town, the manner in which the appropriations shall be distributed, and the jurisdiction of the finance committee.

Proviso.

Personal responsibility of councillor authorizing expenditure over appropriations. Section not to apply to loans, &c.

23. Any member of the council who makes, authorizes, or approves of the expenditure of any sum of money, over and above the amounts so appropriated and at the disposal of the council or any committee thereof under the preceding section, is personally responsible.

This section shall not apply to loans, nor the interest thereon, nor in the case of the following section.

24. In case of urgent necessity, the council may, by a by-law, appropriate any amount, which it may deem necessary, over and above those at its disposal; provided that by such by-law an additional assessment be imposed, payable during the year in which the by-law shall be passed, sufficient to cover the amount so appropriated; and such assessment shall be levied, recovered and collected in the same manner as the ordinary taxes and assessments, and with the same privileges.

Additional appropriations in case of urgent necessity. By-law therefore to impose additional assessment.

VALUATION ROLLS

25. The following property is not liable to taxation :

Property exempt from taxation.

1. The property belonging to Her Majesty or held in trust for her use and that owned or occupied by the corporation of the municipality :

2. That occupied by the Federal and Provincial Governments or which belongs to them :

3. That belonging to *Fabriques* or to religious, charitable, or educational institutions or corporations or occupied by such *Fabriques* or corporations, and not owned by them solely for the purpose of deriving a revenue therefrom ;

4. Cemeteries, bishops' palaces, presbyteries, and their dependencies ;

5. All property belonging to railway companies receiving a grant from the Provincial Government, for the whole time for which such grant is accorded.

26. The council may, by resolution, when it deems expedient in the interest of the town, enter into any agreement whatsoever with one or more proprietors, either to regulate the manner of valuing his or their real estate, or establish the amount at which the same shall be estimated, or to regulate the mode of taxing real estate, for ordinary or special taxes, or determining the amount at which it shall be taxed for a specified period.

Council may by resolution make agreements respecting valuation of real estate, &c.

It may also, by resolution, determine the delay and manner of collecting all special taxes.

Delay, &c., for collecting special taxes. School commissioners or trustees may do so likewise.

The same right is granted to the school commissioners and to the trustees of the dissentient schools for the town of Maisonneuve.

27. The council shall, at all times, on a written application from any person who considers himself aggrieved as regards the insertion of his name or the value of his property, in the valuation or collection roll of the municipal taxes of the town and by the entry of any taxes against him, have power to strike from or change in such valuation or collection roll the name and surname of such person or the valuation of his property, as having been inserted

Council may on application of persons aggrieved strike names from roll, alter valuation, &c.

therein, erroneously or otherwise, also to strike therefrom all taxes which may have been erroneously entered against any such person in such valuation or collection roll.

What real value to comprise, &c.

28. The real value of the taxable property in the said town shall comprise the value of the buildings, workshops and machinery thereon erected, and that of all improvements made thereon.

How value of agricultural lands is established.

29. In establishing the value to be given to lands used for agricultural purposes and situate within the limits of the town, account is taken of the value of such lands for farming purposes only, except the portion adjoining streets and roads opened to the public for the ordinary depth of building lots in the locality, which may be taxed according to their real value.

Deposit of valuation roll in office of council and notice thereof.

30. The assessors deposit the valuation roll in the office of the council immediately after it is completed, and notice of such deposit is given by the secretary-treasurer within the two following days.

What notice to contain.

The notice further states that the roll will remain open to examination by the parties interested or their representatives during thirty days following that of the deposit and mentions the day on which the assessors will meet to revise the roll.

Objections to valuation how to be made.

31. Within thirty days from the deposit of the valuation roll by the assessors, in accordance with article 4505 of the Revised Statutes, any person who thinks he has a right to complain of the valuation roll as drawn up may, either on his own behalf or on behalf of another, file a written and sworn complaint in the office of the secretary-treasurer, and such complaint shall mention the object and reason of the application.

Meetings of assessors to take complaints into consideration.

32. On the day specified in the notice or in a subsequent notice, if they have been unable to meet on the day mentioned in the first notice, the assessors shall meet at the place indicated and shall hear and examine the written complaints of the interested parties.

Amendment, &c., of roll.

After having examined witnesses under oath administered by one of them, as well as the witnesses produced by the town, if any, and after hearing the parties, they shall maintain or amend the roll as to them may seem meet.

Adjournment of sittings.

They may adjourn their sittings, if they consider it advisable.

Quorum of assessors.

It shall require at least two assessors to sit and come to any decision.

Assessors to proceed to

33. In any case it shall be the duty of the assessors to proceed at such sitting to the revision and homologation of

the roll whether there be or be not any complaints. They may of their own accord make any change or modification in the roll which they may deem expedient before homologating it.

revision, &c.,
even if no
complaint, &c.

34. As soon as the assessors shall have dated, signed and declared the roll homologated, they shall deposit it in the office of the secretary-treasurer, and, from and after the date of such deposit, the roll shall be and shall remain in force until the coming into force of a new roll.

Deposit of
roll after ho-
mologation.

Coming into
force.

35. An appeal may be taken from the decision of the assessors to the courts of justice by a simple summary petition. Such petition shall be served on the town and be presented within fifteen days from the coming into force of the roll, and articles 4282, 4284, 4285, 4286 and 4288 of the Revised Statutes shall apply *mutatis mutandis*.

Appeal from
decision of
assessors.

When pre-
sented and
what articles
to govern.

36. The contestation of any valuation or assessment roll, whether general or special, except in the case of section 34 above, of any by-law, resolution, or other act of the council, in any manner, is prescribed by thirty days from the date on which such by-law or roll came into force, or from the date of such act or resolution of the council.

Prescription
of right to
contest roll.

TAXES

37. In order to raise the necessary funds to meet the expenses of the council, to provide for the several public improvements necessary and advantageous for the maintenance of the property of the town, and to cover all the expenses of management, generally, made in the interest of the town, the town council shall be authorized to levy annually, by by-law or by resolution, on persons and on moveable and immoveable property in the town, all general or special taxes, contributions, licenses or other dues hereinafter designated:

Power of
council, for
certain pur-
poses to levy
taxes upon:

1. On all lands, town lots or parts of town lots, with all the buildings erected thereon, if any, a sum not exceeding one cent and one quarter in the dollar on their total value, as entered on the valuation roll; the property and the proprietor personally being responsible for such assessment;

Lands, &c.;

2. Proprietors of extensive vacant land to the north of the lots fronting on Ontario street and being at least ten arpents in superficies shall be placed on the same footing as to the valuation, as those who have made arrangements with the town under the provisions of section 4 of the act 56 Victoria, chapter 57; but when streets shall have been opened on such lands at the request of the proprietors, the abutting lots shall fall under the common law;

Proprietors of
land, north
of Ontario
street;

- Tenants, &c. ; 3. On each tenant or occupant paying rent in the town, a sum not exceeding three cents in the dollar on the amount of his rent, or on the yearly value of the immoveables occupied by him ;
- Male inhabit- 4. On each male inhabitant of the age of twenty-one
ants ; years or over, who shall have resided in the town for six months, and not being a proprietor or tenant, nor an apprentice, nor a domestic servant, an annual sum not exceeding five dollars ;
- Persons keep- 5. On every person keeping or having in his possession
ing dogs or a goat or dog, in the said town, an annual sum of two dol-
goats ; lars for each animal ;
- Persons keep- 6. On every person keeping or having a bitch in his
ing bitches ; possession, a sum not exceeding six dollars for each ;
- Persons hav- 7. On every person keeping or having in his possession
ing any other any other animal, a sum not exceeding ten dollars ;
- Persons hav- 8. On every person keeping or having in his possession
ing carriages, any carriage, sleigh, or any other vehicle, a sum not exceed-
&c. ; ing ten dollars.
- Possessor to 9. The possessor of the animals and articles above enume-
to be reputed rated shall be reputed to be the owner thereof and be taxed
to be owner. accordingly, saving his recourse, if any, against the real proprietor.
- Tax not to 9. The tax imposed on such animals or objects, shall not
apply to cer- apply to horse dealers nor to carriage dealers nor manufact-
tain dealers, urers as regards the horses and vehicles which they buy,
&c. make or possess for the purpose of selling the same in the
ordinary course of their trade.
- Town may 10. It shall be lawful for the town, for the purposes above
levy annual mentioned, to levy an annual license or tax :
- Proprietors, (a) On all proprietors or occupants of houses of public en-
&c., of houses tertainment, private boarding houses, taverns, hotels, coffee-
of public en- houses, and eating houses ; on all retailers of spirituous,
tertainment, vinous or fermented liquors ; on all pedlars and itinerant
&c. traders selling, in the town, articles of commerce of any
kind whatsoever ; on all proprietors, possessors, agents, man-
agers, and keepers of theatres, circuses, menageries and
other similar shows, billiard rooms, ten-pin alleys, or other
places for games or amusements of any kind whatsoever ;
on all auctioneers, grocers, bakers, butchers, hawkers, huck-
ster, carters, livery-stable keepers, brewers, distillers and
bottlers ; on all merchants, retailers, traders and manufacturers
and their agents ; on all proprietors or keepers of wood-yards
or coal-yards, and slaughter-houses ; on all brokers, money-
changers or exchange brokers, pawn-brokers and their
agents ; on all bankers and banks, and all agents of banks ;
on all building societies and insurance companies or their
agents ; on all agents, commission merchants or persons
acting for others ; on all telegraph, telephone, electric and
gas companies, or their agents or operators ; on all manufac-

turers of spruce beer and root beer, and the agents and agencies of each of them ; on all brickmakers, soap boilers, lumber merchants, proprietors or occupants of mills, driven by water, steam or electricity, and of tanneries or laundries ; on all scales ; on all bailiffs and druggists residing within the town ; on all railway companies whose cars are driven by steam, electricity, or other motive power, and which run through the municipality, or companies having steam or sailing vessels or ferry-boats running from any place in the municipality ; on all proprietors or keepers of boats, yachts or canoes for hire ; on all refineries, and, generally, on all businesses, manufactures, occupations, arts, industries, trades and professions which are now or may be introduced and exercised in the town by any persons, firms or companies, either on their own account or as agents for others, temporarily or permanently, whether they reside or not in the town.

Such license or tax may be different for the same business, art, industry, manufacture, occupation or trade, according as the persons exercising the same reside in the town or outside of the same.

Tax may be different for residents and non-residents.

(b) The only persons exempt from such license or tax shall be commercial travellers, that is to say, persons selling on sample, when travelling for and on behalf of a business establishment, who do not deliver goods.

Exemption of commercial travellers.

(c) The amount of such respective annual licenses or taxes shall be fixed and determined by a resolution or by a by-law of the council of the town, and shall be fixed and determined by the council in its discretion, either by a specific annual amount or by percentage on the annual value of the property occupied by the said persons in the town, and in or upon which they carry on such business, manufacture, occupation, trade, art, profession or means of profit or livelihood ; provided that in no case shall any such license or tax exceed one hundred dollars per annum.

How amount of taxes is to be fixed.

(d) In default of taking out such license, the offender shall be liable to a fine not exceeding one hundred dollars for each offence, and, in default of payment of the said fine and costs, to an imprisonment not exceeding one month.

Maximum of tax.

(e) Every license signed by the secretary-treasurer shall give the bearer the right to carry on his art, trade, occupation, business or industry up to the first of May following. If a license is issued without the amount due thereon being previously paid, it shall be null and void.

Penalty for not taking out license.

Rights conferred by license.

11. Every person who, during the fiscal year, carries on or practises any kind of business, trade or occupation which renders him liable to the license or business tax aforesaid, is bound to pay the full amount thereof, or such proportion as may be determined by the council, by by-law or resolution.

Persons carrying on business during the year bound to pay, &c.

12. The business tax shall be exacted for the exercise of each such trade, business or occupation, even if several kinds

Business tax for each business although

carried on by one person. of business are carried on by the same person, firm or company.

Power to levy moneys by special assessment. 13. The council may, by special assessment, as set forth in article 4547 of the Revised Statutes, levy moneys for any object whatsoever, within the scope of its powers, upon all kinds of property, or solely upon immoveables, or even upon a portion of either, within the limits of the town, over and above the general and annual tax; provided such tax does not exceed three-quarters of a cent in the dollar on the total value of the said immoveables, as shown on the valuation roll.

Maximum of tax.

Tax on bicycles, &c.

14. The town may levy a tax, not exceeding one dollar, on bicycles, and also upon tricycles and other similar vehicles used in the town by the residents therein; this provision shall not apply to such vehicles used by children under ten years of age.

Taxes on companies having posts in town. Proviso.

15. The town may impose an annual tax, not exceeding one hundred dollars, on every incorporated company or person having posts erected in the streets of the town, provided that such companies or persons or their agents do not already pay a tax under subsection 10 of this section.

Tax on professional men.

38. Every person having an office in the town, and practising therein the profession of an advocate, physician, land-surveyor, notary, dentist, surgeon, oculist or any other liberal profession, shall pay an annual tax not exceeding four dollars.

Levy of annual duties or taxes on proprietors of houses of public entertainment, &c.

39. It shall be lawful for the council of the town to levy, by resolution or by law, certain annual duties or taxes on the proprietors or occupants of houses of public entertainment, hotels, taverns, coffee-houses and restaurants, temperance hotels, private boarding houses, on all retailers of spirituous, vinous and fermented liquors, or to impose a duty or tax upon their respective certificates from the electors when submitted to the approval of the council for obtaining their license; and the certificate for obtaining such license, which is required by law to be signed by twenty-five electors, shall have the signatures of at least five electors of the ward for which the license is applied for.

Tax on license certificates.

Discount on payments.

40. It shall be lawful for the town council to grant a discount, not exceeding five per cent., for the purpose of facilitating the payment of the municipal taxes of all kinds.

The same privilege is granted to the school commissioners of the town for the collection of school taxes.

Prescription of taxes.

41. All arrears of general municipal taxes imposed upon real estate are prescribed by three years, and all other arrears of municipal taxes or claims, special or personal,

by five years, unless in both cases legal proceedings have been taken to effect or prevent the collection thereof during the said period, and in such case the delays for prescription shall only begin to run from the date when such proceedings are concluded.

42. Every tax or assessment, imposed by virtue of this act, on any property or house in the said town, may be recovered either from the owner or from the tenant or occupant of such property or house; and, if such tenant or occupant be not bound by lease or otherwise to pay such tax or assessment, such tenant or occupant may deduct the sum so paid by him from the rent which he shall be obliged to pay for the occupation of such property, or may recover the amount of such taxes from the proprietor with costs.

From whom taxes may be recovered.
Provisto, if tenant pay, when not bound to do so under lease.

43. All debts, now due to the town in virtue of any act hereby repealed, or which may be due in future for any taxes or assessments imposed by virtue of this act, shall be privileged debts, and shall be paid in preference to all other debts, and shall, in all cases of distribution of moneys, be allowed to the town in preference to all other creditors; and this privilege shall apply only to the taxes of the last three years, in cases of general taxes imposed upon real estate, and, in all other cases, to the taxes of the last five years, and shall have its full and entire effect without its being necessary to have recourse to registration.

Privilege for debts due to town.

44. The moveable or immoveable properties, situated in the town, and which according to law are or shall be exempt from taxation for the purpose of meeting the general expenses of the town, shall nevertheless be taxable for the purpose of making and maintaining roads, streets, water-courses, drains and ditches, and the proprietors, possessors, holders and occupants of such properties shall be bound to pay to the town the special tax fixed by the council by by-law to meet the expenditure occasioned by such work; the said properties shall likewise be assessable for, and the owners thereof shall be bound to pay all special assessments or water rates which may be imposed by the council.

Property exempt from taxation, liable to certain taxes for roads, &c.

These taxes shall be levied and collected in the usual manner.

How to be collected.

This section shall not have the effect of limiting the exemption from taxes granted by resolution of the council in virtue of the law.

Limitation of application of section.

45. The town shall have power to levy, apart from the taxes mentioned in the various sections of this act, a special tax upon persons and companies plying, within the limits

Special tax upon common carriers.

of the town, the trade of common carriers, either for the transporting of goods or travellers within the limits of the town or from the limits of the town to some other place.

Maximum of tax.

Such tax shall not exceed twenty dollars per annum for each vehicle, whether for summer or for winter use, employed in such trade of common carrier, and may be levied under the form of a license or otherwise, in such manner as the council shall decide.

Tax may be commuted for an annual payment.

The council of the town may, however, agree with all companies or persons, plying the said trade of common carrier, upon the payment of an annual sum for the privilege of so doing, and may use its discretion in granting or refusing such privilege.

R. S., 4554, replaced for town.

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

Sales under execution of moveables stopped only upon judge's order.

The sale of moveables, under writ of attachment, shall only be stopped upon the order of a judge of the Superior Court, given upon a petition presented, in chambers, two days before the time fixed for the sale, or to the Circuit or Superior Court, after giving notice to the town, at least one clear day before presenting the petition.

LOANS

Power to borrow for improvements, &c.

47. It shall be lawful for the town to borrow, upon the credit of the town, such sums of money as the council may deem advisable to borrow, in order to effect improvements in the town, to erect public buildings, to drain streets, or provide the town with water and light, and finally for all purposes which the council may deem useful or necessary ; but the amount borrowed by the issue of bonds, notes or other securities, except those given for expenses of administration, and remaining unpaid, shall not, at any time, exceed twenty per cent. of the total assessed value of the taxable real estate in the town, according to the valuation roll in force.

Limit of borrowing power.

Issue of notes for present obligations, if borrowing power exhausted.

48. If the power of borrowing granted by section 47 is not sufficient to meet the debts and obligations contracted before the sanction of this act, the town council, after having exhausted such power, may, to make it up, issue, upon resolution, notes with or without interest or including or capitalizing the interest to accrue up to the date of maturity of said notes, payable at the places and upon the terms and conditions it may deem expedient.

es for current business.

The council may also issue notes for the current business, provided the amount be paid within the year of issue out of the revenue, and to settle judgments which may be rendered against the town.

These notes are signed by the mayor or councillor named How to be signed.
by resolution and by the secretary-treasurer or in his default
by his assistant.

49. The loans effected by the town, by the issue of bonds Loans to be made under by-law approved by real estate proprietors, &c.
or obligations, shall only be made by by-law of the council to that effect, approved by the majority in number and in value of the real estate owners who are municipal electors, and who vote on such by-law, and by the Lieutenant-Governor in Council, in accordance with the provisions of the general law governing town corporations.

50. The town council cannot in future, without the ap- Debts not to be incurred without approval of electors and Lieutenant-Governor.
proval of the municipal electors and the Lieutenant-Governor in Council, obtained in the same manner as prescribed by this act for loans, incur any debts for a sum exceeding in all twenty-five per cent. of the value of the total assessable property of the municipality.

ROADS

51. The plan of the town, made by Emile Vanier, provincial land surveyor, and homologated on the 22nd of Plan of the town.
October, 1891, by the Superior Court, in Montreal, with the amendments since made and homologated, is and shall be known as the "general plan of the municipality of the town of Maisonneuve."

52. The above official plan is final, decisive and binding upon the said corporation and proprietors therein interested and upon all other persons; and no indemnity or damage shall be claimed or granted at the time of the opening of any of the new streets, by-roads, avenues, public places, squares or boulevards indicated on the said plan, for any building or improvement whatsoever which the proprietors or any other persons may have made or caused to be made, after the confirmation of the said plan, upon any land or property reserved, either for new streets, by-roads, avenues, squares or boulevards, or for the widening of any of the said streets, public places or boulevards of the said town; provided that the expropriation be asked for by the interested parties within ten years from the date of the homologation of the said plan and of the part thereof which includes such expropriated property; and provided also that nothing contained in this act shall be construed as depriving the said corporation of the right of widening any of the streets, public places or boulevards designated in such plan, after its confirmation, if the corporation deem it advisable so to do; but, after any such plan shall have been confirmed, no alteration shall be made unless approved by a vote of two-thirds of the members of the council. Plan binding upon town and proprietors, &c. Effect of plan as to damages, &c.

Changes may
be made in
plan, &c.

Require to be
homologated
by Superior
Court.

Duplicate to
be filed in
office of Su-
perior Court.

Entry on plan
after homo-
logation.

Entry upon
lands by sur-
veyors enga-
ged in making
surveys for
plan, &c.

Power of
council to
open up
streets, &c.

53. The council may make changes in the homologated plan of the town or even make a new official plan, trace thereon new streets, avenues, boulevards and do everything that it may deem expedient, but this act shall not apply to such modifications or to such new plan until after they have been homologated by the Superior Court or by a judge thereof in the following manner: the corporation shall, by its attorney, apply, by summary petition to the Superior Court in and for the district of Montreal to obtain the confirmation and ratification of such plan or map, after public notice shall have been given of the day and hour at which such petition shall be presented in two newspapers, published one in the English and one in the French language in the city of Montreal, provided such notice be inserted at least twice in each of such newspapers and that at least fifteen days have elapsed between the date of the last insertion of such notice and of that of the presentation of such petition.

54. A duplicate of the said plan shall be deposited, immediately after its completion, in the office of the prothonotary of the Superior Court, and another in the archives of the said corporation; and, when such plan shall have been confirmed and ratified by the Superior Court, as aforesaid, the secretary-treasurer shall make an entry, upon the duplicate of the said plan deposited in the archives of the said corporation, in the following words: "*Confirmed by the Superior Court on the day of , one thousand .*"

55. The surveyors or other persons, employed in the exercise of the duties assigned to them in and by this act, may, and they are hereby authorized to enter, in the day time, upon any property or real estate, within the limits of the town, and shall, under the direction and supervision aforesaid, make out plans or maps, at the expense of the corporation, indicating the streets, highways, by-roads, avenues, squares and boulevards, now existing, as well as those they shall lay out and determine by virtue of this act; and they shall designate, upon the said plans or maps, the new lines of such streets or sections of streets, public highways, by-roads, avenues, squares and boulevards that the said corporation may have determined to widen in the interest of the public.

56. It shall be lawful for the council of the town, at any time, within the whole extent of the limits of the town to cause public streets, by-roads, avenues, squares and boulevards to be laid out and opened, to widen, alter the level of, straighten or extend those already in existence, and for that purpose to acquire or expropriate the necessary

grounds, either at the expense of the corporation, in whole or in part, or at the expense of the parties benefited, in whole or in part; provided that, when the works or improvements are charged to a portion only of the inhabitants of the town, as the parties benefited, the latter may, by petition served upon the council, within the fifteen days following the publication of the limits of the property benefited, signed by two-thirds in value and the majority in number of the said parties, oppose the projected expropriation: in such case, the expropriation cannot take place, unless the town pays one-half of the total cost of such expropriation.

Proviso as to objection in certain cases.

A special tax may be imposed upon the parties benefited, according to the amount of the benefit they derive from the improvement.

Special tax upon parties benefited.

(a) Immediately after having decided upon an expropriation, the town shall, by a petition, presented to a judge of the Superior Court of the district, cause three competent and disinterested persons to be appointed, one of whom shall be selected from amongst the names suggested by the town, and another from amongst the names suggested by the proprietor or proprietors, if they have suggested any, to act as arbitrators, which arbitrators shall settle and determine the price or compensation to be granted for each such immovable to be expropriated. But such petition shall be preceded by a public notice, of at least ten days, published in the usual manner.

Petition for appointment of arbitrators when expropriation decided upon.

Notice of petition.

(b) After having been sworn, the arbitrators shall determine the limits, within which the lands are situated which benefit by the improvement; they shall publish the limits so fixed by them in the usual manner.

Duties of arbitrators after being sworn.

(c) When necessary, the arbitrators shall, after having made their report and deposited it in the office of the council, in accordance with article 4566 of the Revised Statutes, make out an assessment roll for the purposes of apportioning, in the manner which they may deem the most fair and reasonable, the whole cost of the expropriation, all the expenses being included, in whole or in part, as the case may be, upon all the immovables comprised within the limits already published, according to the amount of benefit each immovable shall have derived, or shall derive from the improvement. In making such apportionment the arbitrators shall not take the buildings into consideration.

Arbitrators to make assessment roll.

(d) When a proprietor makes over, gratuitously, a lot of land to the town for a street through his property, the remainder of his property fronting on the new street may, by resolution of the council, be wholly or partly exempted from the apportionment rendered necessary by the opening of the new street, provided the part exempted be not more than one hundred and fifty feet in depth.

Proprietor making over gratuitously lot for a street not liable for certain assessment.

Deposit of assessment roll made by arbitrators and notice thereof.

Confirmation of roll.

Coming into force and collection of assessments thereunder.

Council to determine time &c., of collecting taxes.

R. S., 4569, replaced for town.

Deposit of money in court, if expropriated proprietor unknown, &c.

Prothonotary to draw up judgment of distribution.

Effect of payment or legal tender of amount.

Register of streets, &c.

(e) The roll signed by the arbitrators shall remain deposited in the office of the council for fifteen days after public notice thereof shall have been given in the usual manner. When this delay has expired, if any complaint, in writing, has been made, the arbitrators shall decide whether any changes are to be made in the roll or not ; they shall, afterwards, confirm the roll in a final manner.

(f) The said roll shall come into force from the latter date, and the secretary-treasurer shall collect the assessment in the usual manner and with the privilege attached to ordinary taxes and assessments.

The council may, nevertheless, as it may deem expedient, determine the time and manner of collecting such taxes.

57. Article 4569 of the Revised Statutes is replaced, for the town, by the following :

If the expropriated proprietor be unknown or if the council through fear of a claim or for any other reason deem advisable to do so, it deposits the amount of the indemnity in the office of the prothonotary of the district with a copy of the deed of agreement or of the arbitrators' award. The prothonotary shall, at the request of the interested party, draw up a judgment of distribution of such amount according to the rights of the parties in accordance with article 794 and following of the Code of Civil Procedure.

Payment or legal tender of the amount of the indemnity agreed upon or awarded or the deposit in virtue of this section has the same effect as regards the corporation as a sheriff's title, and the latter becomes the absolute owner without registration.

58. The town shall keep a public register of the streets, lanes or public places belonging to the municipality.

POWERS OF THE COUNCIL

Powers of council under Revised Statutes and Municipal Code and further council has power :

To forbid &c., erection of steam-engines, &c. ;

To provide measures for preserving town from contagious or pestilential diseases, &c. ;

59. The council of the town shall have all the powers, rights and privileges granted by the Revised Statutes and by the Municipal Code to municipal councils, and shall further have the following rights and powers :

1. To forbid the erection of steam-engines or boilers in the limits of the town for manufactories or other purposes, except with the permission of the council, and to provide for the inspection of such steam-engines or boilers, and to impose and levy a fee to that effect ;

2. To prescribe the necessary measures for preserving the inhabitants of the town from contagious or pestilential diseases or diminishing the dangers or effects of such diseases, to establish one or more boards of health, and to appoint a competent person, for the inspection of meat

and of milk, which shall be sold or offered for sale in the town, and to confer upon him the power of confiscating all meat and all milk which are not of good quality, or which might be an unwholesome article of food or injurious to the public health; and, by resolution or by-law, impose a fine and imprisonment in default of payment of such fine, upon any person selling or offering for sale in the town such unwholesome or bad meat or milk;

3. To regulate the construction, dimensions, and height of the chimneys above the roofs, and even, in certain cases, above the neighbouring houses and buildings, and authorize the building inspector to regulate within what delay, by whom and in what manner they shall be raised, repaired or built.

To regulate construction, &c., of chimneys, &c.;

4. To provide for the regulation and inspection of the construction and repair of houses and buildings in the city which are built, or being built, or which may hereafter be built; the mode of constructing them, the materials to be employed, the fire-escapes to be placed therein; appoint a building inspector with power to examine the interior and exterior of all buildings, to repair, alter, cause to be vacated, to isolate or demolish at the expense of the proprietor every dangerous building or chimney, and may determine and give to such inspector all the powers necessary for his office; and impose a fine not exceeding ten dollars for each day's delay in complying with the orders of the said inspector, in accordance with the by-laws of the council;

To provide for regulation and inspection of construction of houses, &c.

Penalty.

5. To levy, by assessment, the money sufficient for making or repairing one or more common sewers, connections and other accessories, in all the streets of the town, whether opened or not to the public, upon all owners of lots situated on such streets, or have such work done, in whole or in part, at the expense of the corporation; regulate the mode of collecting such taxes, with or without delay for payment; and regulate the manner of making such sewers, the materials to be employed, both for private drains and every other accessory, including connections, whether they be made by the town or by the proprietors;

To levy by assessments moneys for making common sewers, &c.;

To regulate manner of making such sewers, &c.;

6. To excavate any of the streets of the town, lay pipes or other things therein, and use the said streets, in any manner and do any work whatsoever therein, whether it be the proprietor thereof or not, provided such streets have been opened to the public for over three years;

To excavate in streets and lay pipes, &c.:

7. Enter into any agreement, which it may deem expedient, in the interest of the town, with the proprietors, with reference to the payment of the assessment for sewers or as to the construction or connection of such sewers or other works or as to all general or special taxes or apportionments whatsoever;

To enter into agreements with proprietors as to payment of assessments;

8. Whenever a proprietor or occupant of lands or buildings refuses or neglects, within the prescribed delay, to have the

To have work done which has not been

done by proprietors and to collect cost thereof from such persons ;

building, demolishing or other work done which has been ordered by the council or its officers, under the law or by-laws, or cannot do the same owing to absence, poverty or other reasons, to have such work done by itself or through its officers, and collect the cost thereof from the person or persons who were bound to perform such works, with the same privileges or hypothecs as ordinary taxes, with interest at six per cent.;

To regulate &c., dangerous trades, &c. ;

9. To regulate or prohibit the erection, use, or working of any establishment, manufactory, industry or trade of a dangerous or hurtful nature or of a nature to endanger the public health and safety, or generally considered as such, and to impose a fine, not exceeding one hundred dollars, for every day that the infringement of any by-law made under this section shall last, and an imprisonment not exceeding one month in default of payment ;

To compel proprietors, &c., of houses, &c., to fence in same.

10. To compel every proprietor of an hotel, restaurant, or house of public entertainment, to fence in his property and to inclose his yards, privies and dependencies, so as not to be exposed to the public view, and, in default, to impose a fine, not exceeding twenty dollars, or fifteen days' imprisonment, for every infringement of such by-law ;

To compel persons using steam-engines &c., to provide them with smoke, &c., consumers, &c. ;

11. To compel persons owning or using steam-engines, boilers, manufactories of chemical products or other establishments to provide them with smoke and gas consumers or other apparatus, so as to remove everything that may be injurious to the public, and, in default, to impose a fine, not exceeding one hundred dollars, for every day that the infringement of any by-law made under this paragraph shall last, and imprisonment, not exceeding one month, in default of payment ;

To regulate sale, &c., of lumber, &c. ;

12. To regulate the sale, weight, quantity, quality, weighing, measuring of lumber for building purposes, sawn lumber, cord wood, coal, lime, building materials, hay, grain, milk, bread, salt, spices, meat, fowl, game, produce or any other article or product whatsoever brought, exposed or offered for sale or intended to be sold, in the town, by strangers or by residents ; and to confiscate any article, not in accordance with the by-law to be made under this paragraph in addition to any fine which may be imposed, and to authorize its officers to examine anything coming under this paragraph, in any part of the town whatsoever ;

To confiscate such as are not in accordance with the by-law ;

To fix a sum to be paid for permits ;

13. To fix a sum, not exceeding one hundred dollars per diem, to be paid for obtaining permits, under the by-laws or the resolutions of the council or the law ;

To prohibit &c., the sale of intoxicating liquor, &c. ;

14. To prohibit entirely, or limit the number of licenses, locate the houses licensed for the sale by retail of spirituous, alcoholic or intoxicating liquors, and impose all the restrictions and conditions, which it may deem advisable, upon such commerce ; and to have full discretion as regards granting or refusing the confirmation of the license certificate ;

15. To supply electric or other light to the residents of the town or to persons residing outside, at the price and on the conditions fixed by the council, the collection of the price to be paid for such light being effected in the same manner as for the water-rates, with the same privileges; to determine the mode of collection; no person, however, being bound to take the said light;

To supply electric or other light to residents, &c.

16. To prevent on Sundays all public games, races, theatres or public amusements contrary to morals or to public tranquillity.

To prevent all public games, &c., on Sundays.

60. Notwithstanding article 4404 of the Revised Statutes and in the spirit of the said article, permission is hereby granted to the town to grant aid to any railway, manufactory, brewery, distillery or other industrial or commercial establishment now established or which may wish to establish themselves within the limits of the town, by giving or undertaking to give them land for their buildings and operations, provided such bonus to any one company shall not exceed ten thousand dollars. The town may acquire such land or lands, either for cash or on credit.

To aid railways; &c.;

Proviso.

The aid or bonus for the purchase of the land in the town required for their operations, to wit: three thousand five hundred dollars to the Imperial Brush Manufacturing Company, for a brush factory, nine thousand dollars to the Watson Company, for a wall-paper factory, is, in each case, declared valid and confirmed, pending cases not being affected by this act.

Certain aid confirmed.

The rights and privileges granted by the town to the Montreal Island Belt Line Railway Company are declared valid, ratified and confirmed.

Certain privileges ratified.

61. The town shall have all the powers mentioned in articles 4485 and following to 4497, inclusively, of the Revised Statutes, without being obliged to have water-works within its limits, provided it can supply water from the city of Montreal or elsewhere to the inhabitants of the town; and the by-law respecting the water supply of the town is declared legal for all lawful purposes.

Powers as to water-works.

MUNICIPAL NOTICES

62. Article 4367 of the Revised Statutes is replaced, for the town, by the following:

R. S., 4367, replaced for town.

Every public notice, for municipal purposes, shall be published in accordance with article 4367 of the Revised Statutes, except that, in the cases of a loan or a by-law for a bonus, the preparation of a valuation or collection roll, and in all cases in which the council thinks it proper, it should be given, by

How public notices shall be published.

one or more insertions in a French and in an English newspaper of the city of Montreal.

Who may
serve and post
notices.
Return of ser-
vice.

63. The secretary-treasurer, every bailiff of the Superior Court, every policeman or sworn constable belonging to the police force of the town, may serve or post up municipal notices, and his return under his oath of office is an authentic document and is evidence of its contents.

MUNICIPAL POLICE

Power to ap-
point, &c.,
police force.

64. It shall be lawful for the council, by resolution, to appoint, dismiss and replace, from time to time, as occasion may require, a sufficient number of men to compose the police force of the town.

Men to be
sworn.

2. Such men shall be sworn before any justice of the peace for the district of Montreal, to act as police officers or constables, in order to preserve peace within the said town.

Police to obey
orders.

3. The police officers or constables shall obey all legitimate orders they may receive from the council, from any of its members individually, or from any justice of the peace of the district of Montreal.

Powers vested
in police.

4. All and every the police officers or constables aforesaid shall be vested with all the necessary powers for the performance of the duties imposed upon them; and it shall be lawful for them to arrest on view, and without a warrant, any person they may find breaking the public peace, or lying or loitering, either during the night or day-time, in any highway, field, yard or other place, or lying or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart, or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing tumult in the public streets or highways, or on wharves or bridges, or any part of the beach of the river St. Lawrence, within the limits of the town, by shouting, swearing or otherwise, and, in a like manner, any person infringing or attempting to infringe any federal or provincial law, or any by-law of the town, or committing or attempting to commit any offence whatever punishable by law, and all persons advising, aiding or encouraging anyone to infringe any such federal or provincial law, or any such by-law of the town; and it shall be lawful for them to arrest on view, and without a warrant, any such persons immediately after the commission of the offence, on good and sufficient information being given as to the nature of the offence.

Power of ar-
rest.

5. They shall have power and authority to arrest, even outside the limits of the town, all persons who shall have infringed any federal or provincial law, or any by-law of the town, or who shall have advised, aided, or encouraged any one to infringe any such federal or provincial law, or any such by-law.

6. They shall have power and authority to serve all summons and subpoenas and execute all warrants and other proceedings for the arrest and the confining in gaol of all persons accused or detained for subsequent examination or for trial, or arrested in virtue of a warrant of arrest for the commission of any crime, or offence against or infringement of any federal or provincial law, or any by-law of the town.

Power to serve writs of summons, &c.

7. They shall have also power and authority to enter every inn, hotel, and every licensed shop for the sale of spirituous, vinous or fermented liquors, to ascertain if the laws governing such houses, or if the municipal by-laws be observed, and to arrest on view, and without a warrant, all persons found in every such house, in contravention of all such laws or by-laws.

Power to enter into inns, &c.

8. The said police officers or constables may, at any time, upon the written permission of the mayor or of two municipal councillors, enter any store-house, shop or other house, whether licensed or not licensed for the sale of spirituous, vinous or fermented liquors, wherein they shall have reason to suspect such liquors to be sold.

Power, on written permission, to enter store to search for liquors.

9. The said officers may enter any yards, buildings and dwellings for the purpose of ascertaining whether some offence is being committed there against the municipal by-laws.

Power to enter yards, &c., for certain purposes.

10. Any such persons so summarily arrested shall be conveyed to the gaol of the district of Montreal, or to one of the police stations of the town, there to be safely kept until they may be taken before the mayor, or one or two justices of the peace: but such persons so arrested may give bail or a sufficient recognizance, to be taken or received by the said mayor, or justices of the peace or by the clerk of such justices of the peace or by the chief of police of the town, to appear, and shall appear on the day appointed, before the said mayor or the justice or justices of the peace.

How persons arrested summarily are to be dealt with.

11. The constables or police officers shall have power and authority to serve all special notices and to publish all public notices in accordance with the various provisions of this act, and they shall certify to the correctness thereof under their oath of office, without being obliged to take a special oath to that effect.

Power to serve notices, &c.

MISCELLANEOUS PROVISIONS

65. With the exception of the by-laws which must be submitted to the approval of the proprietors who are municipal electors, the town council may exercise its powers by by-law or resolution.

Council exercises its power by by-laws and resolutions.

66. The by-laws of the town shall be deemed to be public laws, and as such they shall be judicially taken cogni-

By-laws to be public laws.

zance of by any judge or other person without its being necessary to plead them specially.

Fiscal year.

67. The fiscal year for the town shall run from the first of January of one year to the first of January of the following year, and, at the end of each year, the books of account of the town shall be audited and balanced.

R. S., 4532, replaced for town.

68. Article 4532 of the Revised Statutes is replaced, for the town, by the following :

Meeting of electors.

For such purpose, a meeting of all municipal electors who are proprietors is convened for a day fixed by the council, by a public notice signed by the mayor ;

President, secretary.

Such meeting is presided over by the mayor or by the person designated by the council, and the secretary-treasurer acts as secretary ;

Demand for poll.

Six electors present, qualified to form part of the meeting, may require a poll for the purpose of ascertaining whether the by-law is approved or disapproved ; and, on such demand, the mayor or officer presiding shall fix, within the eight days next ensuing, a day for the opening and holding of the poll.

R. S. 4533, replaced, for town.

69. Article 4533 of the Revised Statutes is replaced, for the town, by the following :

Holding of poll.

The poll shall be held and presided over by the mayor or by the person designated by the council, with the assistance of the secretary-treasurer.

Duration of polling.

It shall be held on one juridical day from eight in the morning to five in the evening.

Certain expenses, &c., declared valid.

70. All the expenses incurred by the town up to the present day for works, improvements or other necessary or lawful things actually paid and due on bons, promissory notes, or otherwise than on debentures, are declared valid and legal and ratified to all intents and purposes.

Notice to be given before suit brought against town.

71. No prosecutions, actions or suits against the town in connection with claims for damages shall be brought or instituted unless within six months from the date of the act complained of and unless a previous notice of thirty days, giving the plaintiff's address and setting forth the object and the amount of the demand, has been served upon the town.

Town may always call in debentures.

72. Unless the by-laws authorizing a loan or loans contain a declaration to the contrary, the town shall always be allowed to call in any of its debentures or bonds whatsoever, when it is in a position to do so with advantage.

In such case the interest on the debentures or bonds shall cease to run one month after the date of the publication of the calling in thereof in the *Quebec Official Gazette*.

Interest to cease to run after publication of calling in, &c.

73. The secretary-treasurer may, in the name of the town, answer interrogatories on articulated facts; and, in cases where the town shall be garnishee, he may make the declaration required by law on behalf of the town, without being thereunto authorized by a resolution of the council.

Secretary-treasurer may answer interrogatories on articulated facts, &c.

74. The mayor may authorize the secretary-treasurer to pay any account due by the town, provided the amount of such account does not exceed twenty-five dollars

Mayor may authorize certain payments.

75. The acts 46 Victoria, chapter 82; 51-52 Victoria, chapter 89; 56 Victoria, chapter 57; 60 Victoria, chapter 65, are repealed, in so far as they are inconsistent with this act.

46 V., c. 82; 51-52 V., c. 89; 56 V. 57; 60 V., c. 65, repealed.

76. Articles 4216, 4227, 4232, the last paragraph of article 4241, and articles 4242, 4243, 4244, 4247, 4251, 4253, 4254, 4255, 4256, 4257, 4258, 4262, 4263, 4264, 4414, 4452, 4500, 4532, 4533, 4554, 4555, 4565 and 4569 of the Revised Statutes shall not apply to the town and are especially excepted, and all the provisions of the Municipal Code of this province, that are not inconsistent with this act and with the town corporations general clauses act, shall apply thereto and form part thereof, so far as the same is possible, *mutatis mutandis*.

Certain articles of R. S., not to apply.

Certain provisions of the Municipal Code to apply.

77. This act shall be known as the "Charter of the town of Maisonneuve" and shall come into force on the day of its sanction.

Name of act. Coming into force.

Nevertheless, for the election to be held in the month of March, 1898, it shall be sufficient that candidates for mayor or councillor possess, at the time of their nomination the immoveables upon which they qualify, according to paragraph 4 of section 14 of this act.

Qualification of candidates for mayor and councillor at March election.

The present councillors shall, during their term of office, remain, as to their qualification upon real estate, subject to the law in force at the time of their election.

Law applicable to qualification of present councillors.