

visions of this act or of a by-law, it shall not be necessary to reduce the complaint to writing ; but the complaint on oath, before the judge or the court, by the constable who made the arrest, shall be deemed a sufficient complaint.

writing in certain cases.

If the defendant asks that the complaint be taken down in writing, the court shall order the clerk to reduce it to writing."

If defendant requires written complaint.

**36.** Section 387 of the said act is replaced by the following :

Id., s. 387, replaced.

"**387.** The judgment of the court shall be executory in the delays fixed by the court or judge, or if no delay has been so fixed, fifteen days after the date thereof."

When judgment is executory.

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

Coming into force.

#### C A P. L I V .

An Act to amend the charter of the town of Westmount.

[Assented to 21st December, 1895.]

**W**HEREAS the council of the town of Westmount has, by petition, represented that, in the interest of the said town, it is necessary to define and increase the powers conferred on it by its charter, 56 Victoria, chapter 54, and it is expedient to grant the prayer of the said petition ;

Preamble.

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

**1.** Article 14 of the act 58 Victoria, chapter 54, is replaced by the following :

58 V., c. 54, art. 14, replaced.

"**14.** The council shall have power, from time to time, to make, amend, repeal and enforce all by-laws, rules and regulations necessary for the general maintenance and management of the gas-works, the conduct of the officers and other persons employed ; and any one infringing the provisions of any such by-law shall be liable to a penalty payable to the corporation not exceeding twenty dollars and costs, and, in default of immediate payment, to imprisonment not exceeding thirty days."

By-law, &c., for gas-works

Penalty for infringement.

**2.** Article 16 of the said act 58 Victoria, chapter 54, is replaced by the following :

58 V., c. 54, art. 16, replaced.

"**16.** The council may, in its discretion, provide for the lighting of the town by means of electricity, and, in the

Council may provide for lighting town by electricity, &c.

event of so doing, the provisions of section two shall apply *mutatis mutandis* to the establishment, maintenance, and management of the necessary electric light-works and to all the purposes connected therewith."

Power to provide light, &c., outside town limits. Proviso.

**3.** The council may also make special agreements for the supply of gas, electric light or power beyond the limits of the municipality ; provided that the persons with whom such agreements are made comply with the regulations respecting the management of electric light- or gas-works, and provided such other municipalities consent thereto.

Council may oblige owners of lands outside municipality to allow works being done.

**4.** The council may oblige the owners or occupants of lands situate beyond the limits of the municipality to permit the works necessary for the construction and maintenance of the gas- or electric light-works to be executed on their properties, saving indemnity for actual damage, provided that such municipalities consent thereto.

Power of officers to enter buildings, &c.

**5.** The officers appointed for the administration of gas- or electric light-works may enter into any house or building whatsoever, without the limits of the town, where gas or electric light is supplied by the town, for the purpose of satisfying themselves that the gas or electric light or power is not wasted, and that the regulations relative thereto are faithfully carried out.

R. S., 4300, replaced for town. Decision of questions.

**6.** Article 4300 of the Revised Statutes is replaced, for the town, by the following :

Every disputed question is decided by a majority of the votes of the members present, except in cases where the votes of two-thirds of the members of the whole council or of the members present are required.

Presiding officer not to vote except in certain cases.

The mayor or presiding officer may give his opinion, but must not vote except in the case of an equal division of votes.

Presiding officer to vote in certain cases, &c.

In case of an equal division of votes, the presiding officer is always bound to give the casting vote, giving reasons therefor if he deems it advisable.

R.S., 4533, replaced for town.

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

Who presides over poll.

The poll is held and presided over by the mayor with the assistance of the secretary-treasurer. It is held for one juridical day from eight o'clock in the forenoon to eight o'clock in the afternoon.

Duration of voting.

Time of repayment of certain awards may be changed.

**8.** The council may, by resolution, change the time of the repayment of the awards paid or to be paid from the loan authorized by by-law number thirty-four, as amended

by by-law number forty-eight of the council of the heretofore town of Côte St. Antoine, now the town of Westmount, by providing that the said awards be repaid and returned to the fund from which they were taken as soon as the assessments or taxes, assessed or to be assessed for the improvements on the continuation of Sherbrooke street and for the improvements made on Mount Pleasant Avenue, are repaid to the town, and that such amounts, when so repaid, shall be used for the purposes mentioned in subsections (a) and (b) of the said by-law number forty-eight.

**9.** The borrowing power of the town is limited to fifteen per cent. on the assessed value of the taxable property of the town. Limit of borrowing power.

**10.** Article 120 of the act 56 Victoria, chapter 54, is replaced by the following : 56 V., c. 54, art. 120, replaced.

**“ 120.** By the payment or legal tender, followed by a deposit into court, of the amount of indemnity awarded to the party entitled to it, the award gives to the town authority to take immediate possession of the property and to exercise the rights or effect the purposes for which the indemnity was granted, save and except that the town shall not be bound to make such payment or legal tender, followed by a deposit into court, of the amount of the indemnity awarded to the party entitled thereto in the case of special improvements, until such time as any frontage assessments to be levied in respect of said improvements shall be due and exigible ; and the town may deduct the amount of such assessments from such indemnity, and the provisions of this article shall apply to the indemnities paid or to be paid under by-laws numbers twenty and thirty-one of the council of the town.” Effect of payment or legal tender and deposit of amount of award, &c.

**11.** Article 38 of the said act 56 Victoria, chapter 54, is replaced by the following : 56 V., c. 54, art. 38, replaced.

**“ 38.** To establish building lines on the lands abutting on any street, road, avenue, highway, alley, park or lane within the said town, between which lines and such street, road, avenue, highway, alley, park or lane, no building or part of a building, or appurtenance thereof, shall be set up or erected ; and to change the name of any street, road, avenue, highway, alley, park or lane in the town.” Determination of line of streets.

**12.** The municipal council shall have power, by by-law : Power by by-law to :

1. To regulate the sale, quality and inspection of milk, and to order its seizure or confiscation ; Regulate sale, &c., of milk ;
2. To prevent any person from offering for sale as food, within the town, any diseased animal, or any meat, fish, Prevent persons from offering for

sale certain articles unfit for food ;

fruit, vegetables, milk or other article of food which, by reason of disease, adulteration, impurity or any other cause, shall be unfit for use ;

Regulate use of bicycles ;

3. To regulate and govern persons using bicycles and other vehicles not drawn by horses in the town ;

Regulate conveyances for traffic, &c.

4. To regulate the conveyance of traffic in the public streets, and the width of the tires and wheels of all vehicles used for the conveyance of articles of burden, goods, wares and merchandise, and for regulating or prohibiting heavy traffic, funerals, and the driving of cattle, sheep, pigs, and other animals, in certain public streets and places named in the by-law.

Power to acquire certain lot of ground.

13. The council may purchase and acquire from the Estate Mackay a piece of land of triangular figure forming part of lot number 1634 upon the official plan and in the book of reference for the parish of Montreal, bounded as follows: in front to the north-west by the Glen roads ; on the west side by lot number 1634*a* ; and on the south-west by lot number 1657, both of said official plan and book of reference, and containing an area of seven thousand four hundred and eighty superficial feet English measure, in consideration of the town assuming, to the exoneration of the said estate, all special assessments imposed on the said property under and by virtue of by-law number four of the council of the heretofore town of Côte St. Antoine, now the town of Westmount.

Certain real estate not liable for taxation.

14. The real property hereinafter described, situate in the town of Westmount and belonging to the Royal Institution for the advancement of learning (McGill University), and the buildings thereon erected, and any property situate in the said town hereafter acquired by the said institution and the buildings thereon, shall be exempt from the payment of all municipal taxes so long as the same are used by the Institution for the purposes of an observatory, or for scientific or educational purposes, or for any purposes connected with the said university, to wit : certain properties situate in number one ward of the said town, being parts of lots official numbers 283, 374, 324 and 325 of the municipality of the parish of Montreal, and part of lot official number 284 of the said municipality of the parish of Montreal, also, certain other property situate in number two ward of the said town, being part of lot official number 282 of the municipality of the parish of Montreal.

Council may, by by-law : Provide for paving streets, &c. ;

15. The council of the town may, by by-law :

1. Provide for the paving with stone or asphalt or other permanent material of any private lane in the town, and assess the same on each proprietor in such lane according

to frontage ; the assessment roll in such cases to be prepared by the secretary-treasurer and the amounts to be collected in the same manner as other special assessments are collected ;

2. Make any regulations that may be necessary to compel the proprietors of private lanes in the town to keep the same clean and in a good sanitary state and in proper repair, and assess the owners or occupants of such lanes with the cost thereof if done by the council in their default ;

Require proprietors, &c., of private lanes to keep them clean, &c.;

3. Prevent the erection of terraces or rows of houses in the town above the level of Montrose Avenue, in order to preserve the natural beauties of the situation, and regulate the class of houses to be erected in that locality.

Prevent certain styles of buildings from being erected in certain quarters.

16. This act shall come into force on the date of its sanction.

Coming into force.

## CAP. LV.

An Act to incorporate the town of St. Louis.

[Assented to 21st December, 1895.]

**W**HEREAS the corporation of the village of St. Louis du Mile End has, by petition, prayed to be constituted a town corporation, under the provisions of chapter first of title eleventh of the Revised Statutes ;

Preamble.

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

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

### PRELIMINARY TITLE.

#### DECLARATORY AND TRANSITORY PROVISIONS.

1. The act constituting the corporation of the village of St. Louis du Mile End, to wit, the act 41 Victoria, chapter 29, with the exception of sections 1 and 5, is repealed.

41 V., c. 29. less ss. 1 and 5, repealed.

Sections 51, 52, 53, 54 and 55 of the act 47 Victoria, chapter 89, are also repealed, in so far as they relate to the village of St. Louis du Mile End.

47 V., c. 89, ss. 51 to 55, repealed for town.

2. The corporation hereby constituted succeeds to the rights, privileges, obligations, property, claims and acts of the corporation existing in virtue of the acts repealed by article 1 ; and the present act shall not have the effect of dissolving the latter corporation, nor of repealing any provisions of the above mentioned statute 41 Victoria, chapter 29, not inconsistent with the provisions of this act,

Corporation succeeds to that of village, &c.