

FORM I.

(Section 106).

Notice of sale of goods and chattels.

Public notice is hereby given, that on _____ next, the goods and chattels of the persons hereinafter named and designated, now under seizure for non-payment of assessments (or other dues, as the case may be), will be sold by public auction, at the hour and place hereinafter mentioned, to wit :

Names.	Amount.	Place of sale.	Hour of sale.

(Signature),

CITY HALL,
St. Henri, (date).

City-Treasurer.

C A P. L I I.

An Act to amend the charter of the city of St. Hyacinthe.

[Assented to 12th January, 1895.]

Preamble.

WHEREAS the corporation of the city of St. Hyacinthe has prayed that the powers conferred upon it by its charter, 51-52 Victoria, chapter 83, as amended by the act 54 Victoria, chapter 80, be increased and the said charter amended ; 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 :

51-52 V., c. 83, art. 5, replaced.

1. Article 5 of the act 51-52 Victoria, chapter 83, is replaced by the following :

Voluntary annexation of adjacent lands.

“5. It shall be lawful for any proprietor of land immediately adjacent or contiguous to the limits of the city of

St. Hyacinthe, upon notice given by such proprietor to the municipal authorities of the said city, and with the consent of the said authorities, signified by a by-law made in the usual manner, to demand and obtain that the said land shall be included within the limits of the city, and so on successively, for other proprietors having other property so adjacent to properties thus successively included as aforesaid.

By-law for such purpose.

Upon such property being included, as aforesaid, by by-law, the proprietors whose properties shall be included, shall have and possess all the municipal privileges, and be subject to all the obligations, duties and charges imposed upon persons and properties originally included within the limits of the city.

Rights and obligations of proprietors after annexation.

Such property thus included shall form part of the wards of the city to which it is contiguous or adjacent.

To what wards property annexed. Annexation of certain territory on petition of majority of proprietors in number and value.

2. Upon the petition of the majority of the proprietors in number and in value possessing, by authentic title, lands within the extent of territory adjacent to the city, bounded as follows: in front, by the middle of the River Yamaska; in rear, by the division line between the lots of the south range of the River Yamaska, and of the St. Francis range, in the parish of St. Hyacinthe, and of the St. Dominique range, in the parish of St. Hyacinthe the Confessor; on one side, by the division line between lots 104 and 105, 106 and 107 of the cadastre of the parish of St. Hyacinthe, and on the other side by the division line between the said parishes of St. Hyacinthe and St. Hyacinthe the Confessor,—it shall be lawful for the said city council to include the said extent of territory within the said city.

When the said extent of territory shall have been included by a by-law of the city council, upon the petition of a majority of the proprietors, as aforesaid, the proprietors, whose properties shall have thus been declared included, shall possess all the municipal privileges and be subject to all the obligations, dues and duties imposed upon persons and properties originally included in the city, and thereupon the said territory so annexed shall be known and designated as 'ward number six' of the city.

Rights and obligations of proprietors after annexation.

3. The same shall apply to the territory hereinafter mentioned, under the same circumstances and conditions and with the same proceedings, to wit: that extent of land bounded in front, to the north-west, by the middle of the River Yamaska; in rear, to the south-east, by the division line between the lots of the south range of the River Yamaska, and those of St. Dominique and Ste. Marie Anne ranges, in the parish of St. Hyacinthe the Confessor; on the west side, by the division line between the parishes of St. Hyacinthe and St. Hyacinthe the Confessor, and on the

To form ward six. Annexation of certain other territory.

north-east side, by a line starting from the River Yamaska and extending along the southern line of the land of the Grand Trunk Railway of Canada, as far as the south-western line of lot No. 192, to continue in the said line as far as the Ste. Marie Anne range; which territory so annexed shall then be known and designated as 'ward number seven' of the city.

To form ward seven.

Power to change limits of wards. Proviso.

4. It shall be lawful for the city council, when it deems advisable, to alter the established limits of the wards, provided an interval of at least five years elapses between every such change for each of them, and that such change be approved by the majority of the members of the council."

Id., art. 7, replaced.

2. Article 7 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Election of mayor and councillors.

"7. There shall be elected, in the manner hereinafter mentioned, a fit and proper person to be and who shall be called 'the mayor of St. Hyacinthe,' and two qualified persons to be aldermen for each ward of the city.

Election of councillors for new wards.

As soon as the extent of territory mentioned in article 5 shall have been included, as prescribed by the said article, within the limits of the city, the municipal electors of the said extents of territory shall elect, in the same manner and within one month, and thereafter at the same time as the other wards of the said city, the mayor and two aldermen to serve in the council of the said city; and, at the following annual election, the one of the two aldermen designated by lot shall cease to hold office and be replaced at the said election in such manner that one of such aldermen alternately shall go out of office as in the other wards."

Choice of retiring aldermen in new wards.

Id., art. 10, replaced.

3. Article 10 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Qualification of councillors.

"10. The aldermen of the city shall be chosen from among the inhabitants of the said city, who are twenty-one years of age and who are proprietors of real estate in the city, either in their own name or in that of their wives, of the assessed value of four hundred dollars.

Residence required.

No person shall be eligible to, or capable of exercising or continuing to exercise, the office of mayor or of alderman of the city, if he is not actually a resident of the said city."

Art. added after id., art. 11.

4. The following article is added after article 11 of the said act 51-52 Victoria, chapter 83 :

Officers not to be appointed.

"11a. The recorder and registrar cannot be appointed to or occupy municipal offices."

5. Article 12 of the said act 51-52 Victoria, chapter 83, Id., art. 12, replaced. is replaced by the following :

“ 12. Every person holding the office of mayor or alderman of the city, who shall be declared bankrupt, or shall become insolvent, or shall apply for the benefit of any law made for the purpose of aiding or protecting insolvent debtors, or who shall cease to hold property to the sufficient assessed value, or who shall enter into holy orders, or shall become a minister of religion in any religious sect, or who shall be appointed judge or a member of the Executive Council, or to any of the offices mentioned in article 11, or who shall become accountable for the revenue of the city, in whole or in part, or who shall receive any pecuniary compensation from the city council for his services, or who shall absent himself from the city, without authority from the council for more than two consecutive months, except on account of sickness, or who shall not attend the sittings of the council during the same period, except by reason of sickness or with the permission of the council, shall become, disqualified, and his seat in the council shall become vacant, and such vacancy shall be filled according to the provisions of this act.” When and for what reasons certain persons may become incapable of holding or continuing to hold office as mayor or councillor.

6. Article 13c of the said act 51-52 Victoria, chapter 83, Id., art. 13c, replaced. as enacted by the act 54 Victoria, chapter 80, section 2, is replaced by the following :

“ 13c. On the first Friday of November in each year, or on the following Friday, if the first be a non-judicial day, the aldermen who do not go out of office at the ensuing election, and the mayor, constituting the board of revisors, shall meet in the council room at the hour fixed by the council, with power to adjourn from day to day if necessary, and shall revise the said list under the presidency of the mayor, and, in his absence, of one of the revising aldermen.” Revision of list by revising board.

The presiding officer shall only vote when the votes are equally divided. Vote of presiding officer.

The quorum of the board shall be three.” Quorum of board.

7. Articles 13a, 13b, 13g, 13h, 13i, 13j and 13k of the said act 51-52 Victoria, chapter 83, as enacted by the act 54 Victoria, chapter 80, section 2, are amended by substituting the word : “ clerk ” for the word : “ secretary-treasurer,” wherever the same may occur in the said articles. Id., arts. 13a, 13b, 13g, 13h, 13i, 13j and 13k, amended.

8. Article 14 of the said act 51-52 Victoria, chapter 83, as amended by section 3 of the said act 54 Victoria, chapter 80, is replaced by the following : Id., art. 14, replaced.

Electors to vote in their own ward. May vote for alderman in each ward in which qualified. Payment of taxes required.

14. Electors shall not vote except at the poll of the ward in which they are qualified as such.

If an elector is qualified to vote in more than one ward, he may vote for the election of aldermen in each ward in which he is so qualified.

Nevertheless, no person qualified to vote at the election of mayor or of one or more aldermen shall be entitled to have his vote registered, unless, at least three days before such election, he has paid his municipal taxes and assessments which are due.

Production of receipt may be required.

Any municipal elector of the city may require that any elector shall produce a receipt, or a certificate from the treasurer or assistant-treasurer, establishing the payment of the said taxes before the prescribed date, in default of which such elector shall not vote."

Id., art. 16, replaced

9. Article 16 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Time of holding elections.

16. The municipal elections of the city shall be held on the second Monday of January in each year, or on the following day, if such Monday is a non-judicial day, at nine of the clock in the forenoon, at the places appointed by the council.

Notice of election how given.

They shall be announced by public notice posted up during the eight preceding days in the office of the city clerk, or published in a newspaper of the city during the eight days which shall precede such elections.

By whom signed, and what to contain.

Such notice shall be signed by the city clerk, and shall set forth the day, place and hour at which the elections shall be held.

Election held notwithstanding absence of notice.

All such elections shall take place whether previous notice be given or not ; but the city clerk, who shall neglect to give the notice required by law, shall be liable to a fine of twenty dollars. "

Id., arts. 21 to 24, repealed.

10. Articles 21, 22, 23 and 24 of the said act 51-52 Victoria, chapter 83, and their amendments, are repealed.

Id., arts. 25 and 26, replaced.

11. Article 25 of the said act 51-52 Victoria, chapter 83, as amended by the act 54 Victoria, chapter 80, section 5, and article 26 of the said act 51-52 Victoria, chapter 83, are replaced by the following :

Election of mayor.

25. Whenever it shall be necessary to elect a mayor, the alderman appointed to preside at the annual election, shall also preside at the election of the mayor, which shall be held in the same manner and with the same formalities as for the election of aldermen."

12. Articles 28, 29, 30, 31, 33, 34, 35 and 36 of the said act Id., arts. 28 to 51-52 Victoria, chapter 83, and article 32 of the same act, 36, replaced. as amended by the said act 54 Victoria, chapter 80, section 6, are replaced by the following :

“ 28. The council, previous to the nomination day, shall appoint an officer to preside over the nomination and election, and, in case a poll is granted, the presiding officer shall, by commission under his hand, appoint a deputy-presiding officer for each polling subdivision in the ward where the poll is granted ; and each deputy-presiding officer shall, by commission under his hand, appoint a poll clerk.

Appointment of :
Presiding officer ;
Deputy-presiding officer ;
Poll clerk.

The city clerk shall act as secretary of the meeting at the time of the nomination.

Secretary of meeting.

“ 29. The time for the nomination of candidates shall be from the hour of ten to the hour of eleven in the forenoon on the first Monday of January, in the city hall of the city, unless that day is a non-judicial day, in which case such nomination shall be held on the next following judicial day between the same hours.

Time for nomination.

The presiding officer shall receive the names and put in nomination all candidates duly qualified for the office, who shall be nominated in writing, by not less than twenty duly qualified electors, for the office of mayor, and not less than ten, for the office of alderman.

Candidates to be nominated.

Each nomination paper must specify the ward for which the candidate for the office of alderman is proposed.

Ward to be specified.

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

Oath as to persons signing paper.

The nomination paper shall be in the form A in the schedule of this act.

Form of nomination paper.

At the hour of eleven of the clock in the forenoon of the said day, the presiding officer shall publicly declare the names of all candidates nominated for the offices of mayor and aldermen, with the names of the proposers, and with the names of the wards for which the said candidates, as aldermen, are respectively nominated.

Declaration of candidates who are nominated.

In case there are no more candidates duly nominated than there are vacancies to be filled in any ward of the city, the presiding officer shall declare the candidate or candidates nominated to be elected.

If no more candidates than vacancies to be filled.

“ 30. If there are more candidates duly nominated than vacancies to be filled, the presiding officer shall grant a poll for taking the votes of the electors, which voting shall

If more candidates than vacancies, poll to be granted.

When and where to be held.

be by ballot and shall be held in each ward on the Monday following the nomination day, unless such Monday be a non-judicial day, in which case the poll shall be held on the next following judicial day.

Opening and closing of poll.

The poll shall be opened at the hour of nine of the clock in the morning and be kept open until five of the clock in the afternoon of the polling day, and shall be held by the deputy-presiding officers appointed for that ward.

Ballot papers to be printed papers with names.

“**31.** The ballots shall be printed papers, in this act called ballot papers, with an annex, showing the names and descriptions of the candidates, arranged alphabetically, or, if there are two or more candidates with the same surname, in the order of their first names.

How names to be printed, &c.

The name and description of each candidate shall be set forth in the ballot paper as they have been set forth in the nomination paper, and the ballot paper and annex shall be in the form B in the schedule of this act.

Form of ballot paper, &c.

Voters' list to be furnished to each deputy-presiding officer, also a ballot box made in a certain way,

“**32.** At least two days before the day of polling, the presiding officer shall furnish to each of the deputy-presiding officers, in the wards where a poll is granted, a copy of the electors' list for each subdivision in such ward, certified by the city clerk, and a ballot box to receive the ballot papers of the voters; which ballot box shall be made of some durable material, with lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom, unless the box is unlocked.

And sufficient number of ballot papers and materials to mark the same.

The presiding officer shall also furnish to each deputy a sufficient number of ballot papers, as nearly alike as possible, to supply the number of electors in the polling division and with the necessary material for voters to mark their ballot papers.

Ten copies of printed directions to voters to be furnished each deputy-presiding officer.

“**33.** At least two days before the polling day, the presiding officer shall also furnish each deputy-presiding officer with at least ten copies of printed directions, in the form C in the schedule of this act, for the guidance of voters in voting, which printed directions the deputy-presiding officers shall, before the opening of the poll on the day of polling, cause to be posted up in some conspicuous places, outside of the polling station, and also in each compartment of the polling station.

Posting of same.

Building in which poll is to be held.

“**34.** The poll shall be held in each polling subdivision in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted.

One or two compartments shall be made within the room, so arranged that each voter may be secured from observation, and may, without interference or interruption, mark his ballot paper.

Compartments therein.

The polling stations shall be selected by the presiding officer, and a notice indicating the location of each of such polling stations shall be posted up in the office of the city clerk and also in some conspicuous place in each ward at least three days before the polling day.

Selection of polling stations.

35. In addition to the deputy-presiding officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate), and, in the absence of agents, two electors to represent each candidate, on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given, during any time the poll remains open.

Who may remain in room at the time of voting.

Any agent, however, having a written authorization from the candidate, shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this article.

Agents with written authorization.

36. The agents or representatives of each candidate shall take the oath before the deputy-presiding officer, any justice of the peace for the district, or the city clerk, to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in their presence ; which oath shall be in the form D in the schedule of this act.

Oath to be taken by agents and representatives.

36a. Before entering upon their duties, the presiding officer, the deputy-presiding officers and the poll clerks shall respectively take the oaths in the forms E, F and G in the schedule of this act.

Oaths to be taken by presiding officers, deputies and clerks.

36b. At the hour fixed for the opening of the poll, the deputy-presiding officer and the poll clerk shall, in the presence of the candidates, their agents and such of the electors as are present, open the ballot box and ascertain that there are no ballots or other papers in the same, after which the box shall be locked, and the deputy-presiding officer shall keep the key thereof.

Examination and closing of ballot box previous to voting.

Immediately thereafter the deputy-presiding officer shall call upon the electors to vote.

Electors to be thereafter called upon to vote.

36c. Not more than one elector for each compartment shall, at any one time, enter the room where the poll is held.

One elector only to enter at a time.

Each elector, upon entering, shall declare his name, surname and addition, which shall be entered or recorded

Recording of voter's name.

Poll book and form thereof.

by the poll clerk in the poll book provided for that purpose, which shall be kept in the form H in the schedule of this act.

Delivery to voter of ballot paper.

If such name, surname and addition are found on the list of voters for the ward, he shall receive, from the deputy-presiding officer, a ballot paper, on the back of which the deputy-presiding officer has previously put his initials, so placed that, when the ballot is folded, they can be seen without opening it, and on the annex of which he has put a number corresponding to that placed opposite the voter's name in the poll book.

Oath to be taken by elector, if required.

Such elector shall, if required by the deputy-presiding officer, the poll clerk, one of the candidates, or their agents, or any elector present, before receiving his ballot paper, take the oath of qualification in the form I in the schedule of this act, which oath the deputy-presiding officer and poll clerk are each hereby authorized to administer.

Elector to mark ballot paper,

" **36d.** The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a pencil on any part of the ballot paper within the division (or, if there is more than one candidate to be elected, within the divisions) containing the name or names of the candidate or candidates for whom he intends to vote.

Hand it to deputy-presiding officer, who deposits it in ballot box.

He shall then fold up such ballot paper, so that the initials on the back can be seen without opening it, and hand it to the deputy-presiding officer, who shall, without unfolding it, ascertain, by examining his initials and the number upon the annex, that it is the same which he furnished to the elector, and shall first detach and destroy the annex, and shall then, immediately, and in presence of the elector, place the ballot paper in the ballot box.

Assisting voters who cannot vote in ordinary way.

If any voter is unable to read, or is incapacitated, by blindness or other physical cause, from voting in the manner prescribed by this act, the deputy-presiding officer shall, on the demand of such voter, assist him by marking his ballot paper for him, in the presence of the agents of the candidates, or of the electors representing them at the poll, and of no other person, and by placing such ballot paper in the ballot box.

Entries in poll book after voter's name.

" **36e.** The poll clerk shall enter in the poll book, opposite the name of each elector voting, the word "voted", so soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book, the word "sworn" or "affirmed", opposite the name of each elector to whom the oath of qualification has been administered, and the words "refused to be sworn" or "refused to affirm", opposite the

name of each elector who has refused to take the oath or to affirm.

Whenever the ballot paper has been marked by the deputy-presiding officer, he shall enter opposite the name of the voter the reason why the ballot paper was marked by him.

Mention to be made of ballot paper marked by deputy.

“ **36f.** No elector, who has refused to take the oath of qualification required, as aforesaid, when requested so to do, shall receive a ballot paper, or be admitted to vote.

Voter refusing to take oath.

No person shall vote more than once in the same ward at the same election, but each elector may vote for as many candidates as there are vacancies in the ward to be filled.

Only one vote in each ward.

If a person, representing himself to be a particular elector named on the list of voters, applies for a ballot paper after another person has voted as such elector, the applicant, upon taking the oath in the form I in the schedule of this act, shall be entitled to receive a ballot paper and to vote as any other elector ; but mention shall be made in the poll book of his having voted on a second ballot paper issued under the same name, and of the oath having been required, as well as of any objections made on behalf of any and which of the candidates.

Vote tendered after vote in same name previously given.

Mention in poll book.

An elector, who has inadvertently dealt with the ballot paper given him, in such a manner that it cannot be conveniently used, may, on delivering the same to the deputy-presiding officer, obtain another ballot paper in the place of that so delivered up.

Spoiled ballot paper.

“ **36g.** Every elector shall vote without undue delay, and shall quit the polling station so soon as his ballot paper has been put into the ballot box.

Delay to be avoided.

Every elector who takes his ballot paper out of the polling station shall incur a penalty of one hundred dollars, and, in default of payment, imprisonment for any term not exceeding three months.

Penalty for taking ballot paper out of polling station.

“ **36h.** Immediately after the close of the poll, the deputy-presiding officer shall, in presence of the poll clerk and the candidates, or their agents or representatives, and if the candidates or their representatives or any of them are absent, in presence of at least three electors, open the ballot box and proceed to count the number of votes given for each candidate.

Counting the ballot papers.

In so doing, he shall reject all ballot papers which have not been supplied by him, all those by which votes have been given for more candidates than are to be elected, and all those on which there is any writing or mark by which the voter could be identified, other than the numbering by

Ballot papers to be rejected.

the deputy-presiding officer in the case hereinafter provided for.

Other ballot papers to be counted and lists made.

The other ballot papers being counted and a list kept of the number of votes given to each candidate and of the number of rejected ballot papers, all the ballot papers indicating the votes given for the candidate or candidates shall be put into a separate envelope or package, and those rejected, those spoiled and those unused into another envelope or parcel.

Ballots to be put into separate envelopes.

Each such envelope or parcel shall be endorsed so as to indicate its contents and be placed back into the ballot box.

Endorsement on envelopes.

Note of objection to be taken and decision to be given at once. To be final unless election is contested.

The deputy-presiding officer shall take a note of every objection made by any candidate or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; the decision of such deputy-presiding officer shall be final, subject only to reversal on petition questioning the election or return.

Objection to be numbered, &c.

Each objection to a ballot paper shall be numbered, and a corresponding number placed upon the back of the ballot paper, and initialed by the deputy-presiding officer.

Statement to be made out at counting.

The deputy-presiding officer shall make out a statement of the accepted ballot papers, of the number of votes given to each candidate, of the rejected ballot papers, of the spoiled and returned ballot papers, and of those unused and returned by him; he shall keep a copy of such statement, and enclose the original in the ballot box, together with the electors' list used by him, the poll book and a certificate in such poll book, immediately following the name of the person last entered on such poll book as having voted or applied for a ballot, of the total number of persons who voted, and shall also enclose in the ballot box all other lists and documents which have been used at such election.

Copy to be kept and original placed in ballot box with ballot papers and documents used.

Box to be locked and delivered to presiding officer.

The ballot box shall then be locked and sealed, and shall be delivered to the presiding officer, or to his assistant, first duly sworn in form K in the schedule of this act, who shall receive and collect the same.

When and where ballot boxes are to be opened and number of votes ascertained by presiding officer.

“**36i.** On the first juridical day following the election, the presiding officer, at the city hall, at the hour of eleven of the clock in the forenoon, or so soon thereafter as possible, in the presence of two witnesses and of the candidates and their agents, if present, shall open the ballot boxes for the different wards, and ascertain and determine the number of votes given for the different candidates from the statements, contained in the several ballot boxes returned by the deputy-presiding officers, of the ballot papers counted by them.

Which candidate to be declared elected.

The candidate for the mayoralty, who is found to have a majority of votes in the city, shall then be declared elected

as mayor, and the candidates for the office of aldermen, who are found to have a majority in their respective wards, shall be declared elected aldermen.

“**36j.** Whenever, on the final addition of votes by the presiding officer, an equality of votes is found to exist between any two or more candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the presiding officer shall give such additional or casting vote.

Casting vote
of presiding
officer.

“**36k.** If the ballot boxes or any of them have been destroyed or lost, or for any reason are not forthcoming, within the delay so fixed, the presiding officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on the deputy-presiding officers, whose ballot boxes are missing, or on any person having the same, for the lists, statements, certificates, or copies of the lists, statements and certificates of the number of votes given to each candidate, required by this act, the whole verified on oath, which oath the presiding officer is hereby authorized to administer.

Loss of ballot
boxes, &c.

If such lists, statements, or certificates, or any of them, or copies thereof, cannot be obtained, he shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate in each ward, proclaim elected the candidate having the majority of votes, and shall mention specially in his report, the circumstances accompanying the disappearance of the ballot boxes, and the mode by which he ascertained the number of votes given to each candidate.

Manner of
ascertaining
number of
votes given if
lists, &c., can-
not be found.

“**36l.** The presiding officer shall make his report, indicating the persons elected, without delay, to the city clerk, and shall deliver to him, to form part of the records and property of the city, all books, documents and papers connected with the election and also the ballot boxes.

Report by pre-
siding officer
indicating
persons elect-
ed to be deliv-
ered to city
clerk, &c.

Copies of any of these books, documents and papers, certified by the city clerk, shall avail as proof in all courts.

Copies to avail
as proof.

Whenever the presiding officer shall have declared a candidate elected by his casting vote, he shall mention the fact in such report.

Mention of
fact of casting
vote having
been given.

“**36m.** Every officer, clerk or agent in attendance at the polling place, shall maintain and aid in maintaining the secrecy of the voting at such polling place, and no such officer, clerk or agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of electors has or has not applied for a ballot paper or voted at that polling place.

Secrecy at
voting.

Electors not to be interfered with.

No officer, clerk, agent or other person shall interfere with or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the candidate for whom any elector at such polling place is about to vote or has voted.

No information as to voting to be given.

No officer, clerk, agent or other person shall communicate at any time, to any person, any information obtained at a polling place, as to the candidate for whom any elector at such polling place is about to vote or has voted.

Secrecy at counting.

Every officer, clerk or agent, in attendance at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting; and no such officer, clerk or agent shall attempt to obtain, at such counting, any information or communicate any information obtained at such counting, as to the candidate for whom any vote is given in any particular ballot paper.

Elector not to show ballot paper.

No elector shall, except in the case of physical disability or ignorance of reading, as provided for, show his ballot paper when marked, to any person, so as to allow the name of the candidate, for whom he votes, to be known.

No person to induce voter to show ballot paper.

No person shall, directly or indirectly, induce or endeavor to induce any voter to show his ballot paper after he has marked the same.

Penalty for violating this article.

Every one who violates the provisions of this article, shall be liable to a penalty not exceeding one hundred dollars, and imprisonment for any term not exceeding three months in default of payment.

No person to state for whom he has voted.

“**36n.** No elector who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted.

Ballot papers not to be inspected unless upon order given by judge or district magistrate upon application supported by oath.

“**36o.** No person shall be allowed to inspect any ballot paper in the custody of the city clerk, nor to obtain any copy thereof, except under an order granted by a judge of the Superior Court or District Magistrates' Court of the district, who, before granting such order, shall be satisfied, by evidence on oath, that the inspection of a copy of such ballot papers is necessary for the purposes of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order may be made subject to such condition as to person, time, place, and payment of fees, as the judge may think expedient.

Hotel bars, &c., to be closed during polling, and no liquors to be sold or given during that day.

“**36p.** Every hotel, tavern or saloon-keeper shall close his bar during the day of the polling; and no spirituous or fermented liquors shall be sold or given at any hotel, tavern, saloon, shop or restaurant within the limits of the city, during the whole of the polling day.

Every one who violates this article shall incur a penalty Penalty. of one hundred dollars, and imprisonment for any term not exceeding six months in default of payment.

“**36q.** The presiding officer and each of the deputy-presiding officers, from the time he takes the oath of office until the closing of the election, shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace, and may require the assistance of justices of the peace, constables and other persons, to aid him in maintaining peace and good order at the election. Presiding officer and deputy-presiding officer to be conservators of the peace.

He may, on a requisition in writing by any candidate or his agent, or by any two electors, swear in such special constables as he deems necessary. May swear in special constables.

Such presiding officer or deputy-presiding officer may arrest or cause to be arrested by verbal order, and placed in the custody of any constable or other persons, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him, until any hour not later than six o'clock in the afternoon of the day of polling. May cause arrest of persons disturbing the peace.

“**36r.** Within three days after the closing of the election, the presiding officer shall notify the candidates elected of their election, by special notice in writing. Notification to candidates elected.

“**36s.** The offences of bribery, treating, undue influence and personation, as defined by any act for the time being in force with respect to the election of members to serve in the Legislative Assembly of this Province, shall, when committed in and in connection with any municipal election in the city, be deemed to be corrupt practices. Bribery, treating, undue influence, personation, &c., to be corrupt practice.

Every person who is guilty of a corrupt practice, at any municipal election in the city, shall lose his right to vote at such election, and shall further be liable to the like actions, prosecutions and penalties, except the loss of his future electoral or municipal vote, as if the corrupt practice had been committed at an election of a member to serve in the Legislative Assembly of the Province. Penalty on person guilty of corrupt practice.

“**36t.** The expression “ballot paper,” in this act, means a ballot paper for the election of mayor or alderman, or both, as the case may be. Meaning of ballot paper.

“**36u.** If a person be elected alderman to represent more than one ward, he shall declare, at the first meeting of the council, for which ward he intends to sit, and thereupon a new election shall be held for the other ward or wards, following the procedure hereinbefore laid down, and the dates Person elected for more than one ward to declare for which one he intends to sit.

therefor shall be fixed by the council at as early a date as possible following such meeting, as will allow the required notices to be given.

Alderman
elected
mayor.

“**36v.** If an alderman is elected mayor by the rate-payers, his seat shall thereby become vacant, and a new election shall be held for the ward in which such vacancy occurs, as provided for in the foregoing article.”

Id., arts. 37,
38, 40, 41 and
42, amended.

13. Articles 37, 40, 41 and 42 of the said act 51-52 Victoria, chapter 83, and article 38 of the same act, as replaced by the act 54 Victoria, chapter 80, section 8, are amended by substituting the word : “aldermen,” for the word : “councillors,” wherever it occurs in the said articles.

Id., art. 43,
replaced.

14. Article 43 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Vacancies in
office of alder-
man.

“**43.** As often as any vacancy shall occur in the office of alderman, by reason of nomination to the office of mayor, of sickness, civil disability, death or removal from the city, or for any other cause, it shall be lawful for the city council, and it is hereby enjoined to summon, by public notice, the electors of the ward, in which such vacancy shall have occurred, to fill such vacancy by the election of another alderman ; and, in such case, the mayor, or, in his absence, the pro-mayor, or one of the aldermen appointed by the council, shall preside at the election, and the city clerk or any other person appointed by the council shall act as deputy.

Who presides
at election in
such case.

The alderman so elected to fill the vacant seat shall be sworn before the mayor, the city clerk or before the alderman who shall have presided at the election, and he shall remain in office during the whole period during which the member whom he shall replace would himself have remained in office, in the ordinary course.”

Oath to be
taken by per-
son elected
and term of
office.

Id., arts. 44,
46, 47, 48, 51
and 52,
amended.

15. Articles 44, 46, 47, 48, 51 and 52, of the said act 51-52 Victoria, chapter 83, are amended, by substituting the word : “aldermen” for the word : “councillors,” wherever it occurs in the said articles.

Id., art. 53,
replaced.

16. Article 53 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Convening of
special meet-
ings.

“**53.** The clerk shall convene special meetings of the council whenever he is so required by the mayor, or, in his absence, by the pro-mayor or by two aldermen.

Notice to
clerk, &c.,
notice to
members, &c.,
duty there-
after.

They shall inform the city clerk the business of the meeting and the day and hour at which they wish it to take place, and written notice thereof shall be given to the alder-

men, who shall be bound to attend the same under the penalties imposed to that effect by the by-laws of the council."

17. Article 55 of the said act 51-52 Victoria, chapter 83, Id., art. 55, replaced. is replaced by the following :

"**55.** The mayor, or alderman presiding at any sitting of the council, shall have the right to enforce his authority for the maintenance of order and decorum, by causing to be forcibly removed from the council chamber, until the adjournment of the sitting, any member of the council who shall persist in his misconduct, after having been declared out of order by the mayor or officer presiding as aforesaid ; provided that, on motion to that effect, it be resolved, by at least the three-fourths of the members present, that the mayor or alderman presiding shall exercise his authority in the matter ; and all such motions shall be considered in order and shall be proposed and decided without debate."

Power to remove forcibly members guilty of misconduct.

18. The following article is added after article 57 of the said act 51-52 Victoria, chapter 83 : Art. added after id., art. 57.

"**57a.** The mayor is *ex officio* member of all committees. As soon as possible after the committees are constituted, each committee shall prepare a statement of expenses to be provided for, and the finance committee shall further furnish a statement of the probable revenue for the year. The council shall appropriate the amounts which it may deem advisable to sanction for the expenses to be provided for, leaving a margin of not less than five per cent of its estimated revenues."

Mayor member of all committees. Statement of expense to be prepared by committees. Appropriations for year.

19. Articles 59, 60, 61, 62 and 63 of the said act 51-52 Victoria, chapter 83, are replaced by the following : Id., arts. 59 to 63, replaced.

"**59.** The council shall have power to appoint three assessors at the beginning of each period of three years. Appointment of assessors.

It shall be the duty of the assessors to value the real estate according to its actual real value, within the delays specified by the council. Their duty.

In valuing such real estate, they shall also determine the actual value of each property, and, moreover, of every portion of the property which might be leased or occupied separately. How they shall proceed.

"**60.** On the order of the council, the assessors shall also, each year, estimate the annual value of the real estate or of such portion thereof as may have increased in value, owing to the buildings, additions or improvements, or which may have decreased in value by the total or partial destruction of the buildings. Valuation of property that has increased or decreased in value during year.

Report as to such changes in annual value.

They shall report such changes in the annual value of the property to the council, which shall order the clerk to make the necessary corrections in the valuation roll in force, as well as in the assessment rolls for the current year.

Triennial valuation of real estate.

“ **61.** The valuation of the real estate shall be made every three years, and may be made separately for each ward of the city.

Qualification of assessors.

“ **62.** The assessors must be owners of real estate of the value of five hundred dollars each.

Oath of office.

The assessors shall take an oath of office.

Deposit of valuation rolls and notice thereof.

“ **63.** The valuation rolls shall be deposited in the office of the clerk and be submitted to the council at the following meeting, to be examined by the aldermen, if they so desire, and after such meeting they shall remain deposited in the office of the city clerk during a period of fifteen days for public inspection, and a notice shall be given by the clerk in a newspaper of the city for three consecutive days ; during that period, any persons who consider themselves aggrieved may complain to the council, in writing, of any excessive valuation. This appeal shall be decided by the council at the first meeting after the expiration of the fifteen days aforesaid ;

Complaint against roll. Decision thereof.

Power of council on complaints.

The council may hear the parties and their witnesses under oath, which may be administered by the mayor or by the presiding alderman, and it shall maintain or alter the amount of the valuation complained of, as it shall deem right.

Closing of roll for three years.

At the same meeting, the said rolls shall be declared closed for three years, unless, owing to the number of complaints, the council shall have to adjourn, in which case the rolls shall only be declared closed after the hearing and the adjudging of every claim.

Quashing of valuation rolls.

The said valuation rolls thus made, prepared and revised, may be quashed by the Superior Court of the district or a judge thereof, for the same reasons, in the same manner, in the same delay, and with the same effect as any by-law of the council, and will be subject to the application, *mutatis mutandis*, of article 37 of the act 51-52 Victoria, chapter 83, as amended by the act 54 Victoria, chapter 80, article 7.

Id., art. 65, replaced.

20. Article 65 of the said act 51-52 Victoria, chapter 83, as amended by the said act 54 Victoria, chapter 80, section 10, is replaced by the following :

Rolls of tenants, moveable property, &c.,

“ **65.** The rolls of tenants, moveable property, persons and animals liable to taxation in the city, shall be made annually, on an order of the council, by the person

designated by it for the purpose, and it shall be deposited, examined and revised in the manner mentioned in article 63 of this act.

to be made annually, deposited, examined and revised. Valuation of property in wards six and seven.

2. As soon as the territories described in article 5 of the act 51-52 Victoria, chapter 83, shall have been incorporated with, or annexed to the city as wards numbers six and seven respectively, it shall be the duty of the council to cause to be prepared, in the manner provided by this act, by the assessors and officers in charge thereof respectively, the valuation roll in the said wards, and also of the tenants, moveable property, persons and animals liable to taxation, which said rolls shall be revised, examined and amended like the others, in accordance with this act, and shall form part of the general rolls of the same kind for the other wards of the city, as if they had been originally included therein.

Revision, examination and amendment thereof.

3. These provisions shall further apply to every annexation of territory other than those forming the said wards.

Valuation rolls for other territory.

4. After each change of owners, tenants or occupants of property entered on the valuation roll and on the assessment rolls, the council, on a written application to that effect, and upon sufficient proof being adduced, shall strike out the name of the former owner, tenant or occupant and insert that of the new one in place thereof."

Change in roll after ownership has been changed.

21. Article 67 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Id., art. 67, replaced.

"67. The auditors who shall be appointed for the city, shall be owners of real estate therein, of the value of at least five hundred dollars ; and neither the mayor, the aldermen, the city clerk, nor any person receiving a salary from the council, for any office under it or on account of any contract whatever made with it, shall be capable of holding the office of auditor of the city."

Qualification of auditors.

Persons who cannot be auditors.

22. Article 68 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Id., art. 68, replaced.

"68. It shall be the duty of the auditors to examine, during the month of January, and whenever requested so to do by the council, all accounts which may appear in the books of the council or concern it, and to report their proceedings to the council.

Duty of auditors.

Within fifteen days after the reception of such report, the council shall cause to be published a detailed statement of the receipts and expenditure and resources of the council in a newspaper published in the city, or posted during eight days, in the office of the city clerk for public inspection."

Statement of receipts and expenditure to be published, &c.

Id., art. 70,
replaced.

23. Article 70 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Penalties for
refusing to
accept office,
&c.,

“ **70.** Every person who shall be regularly elected or appointed to any of the offices of mayor, alderman, assessor or auditor of the city, shall accept such office, under the penalties hereinafter mentioned, unless such person shall have ceased to hold office within the last twelve months of the year preceding such election or appointment to office ; in which case he shall be exempt from serving for the same period as he would have served if he had accepted such office.

Against
mayor,

The fine for a person elected mayor, who shall refuse to accept and to act, shall be forty dollars ;

Alderman,

The fine for a person elected alderman, who shall refuse to accept and to act, shall be twenty dollars ;

Auditor,

The fine for a person appointed auditor, who shall refuse to accept and to act, shall be ten dollars ;

Assessor.

The fine for a person appointed assessor, who shall refuse to accept and to act, shall be fifteen dollars.

Persons not
bound to ac-
cept office, &c.

No person whose age, at the time when he is elected or appointed to any of the said offices, shall exceed sixty years, shall be bound to accept the same, or be liable to pay a fine for refusing to act therein.”

Id., art. 71,
replaced.

24. Article 71 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Appointments
by city coun-
cil.

“ **71.** The city council shall appoint :

A clerk ;

A treasurer ;

An assistant-clerk ;

An assistant-treasurer ;

A chief of police ;

A deputy-chief of police ;

A superintendent of works ;

A water-works' superintendent ;

A city inspector ;

One or more market clerks ;

A rural inspector ;

Such constables or officers as it may deem necessary to execute the powers given to the council by this act.

Council may
prescribe du-
ties of officers.

The council may prescribe and regulate the duties of each of these officers, and dismiss at will each of the said officers and replace them ; demand of any person, employed by the council for any purpose whatever, such security it may deem sufficient to insure the due execution of his duties ; and allow and give to the officers, appointed as aforesaid, such salary, allowance or other compensation, for their services, as it may deem suitable.

It shall be lawful for the said council to appoint the same officer to fill more than one of the said offices at a time. One officer for several offices.

The clerk and treasurer, in the absence or inability to act of either, shall replace one another with all their respective powers, without it being necessary for the council to appoint them for that purpose. Clerk and treasurer replace each other.

The constables or police officers shall, before doing duty, be sworn in before the mayor or clerk." Constables to be sworn.

25. Articles 72 and 73 of the said act 51-52 Victoria, chapter 83, are repealed. Id., arts. 72 and 73, repealed.

26. Article 74 of the said act 51-52 Victoria, chapter 83, is replaced by the following: Id., art. 74, replaced.

"**74.** The clerk, the treasurer and their assistants shall swear to faithfully fulfil the duties of their office. Their returns and certificates may be made under such oath of office. The clerk of the city of St. Hyacinthe shall be *ex officio* a justice of the peace for the district of St. Hyacinthe. Oaths of clerk, treasurer and assistants.

He shall transmit the orders of the council, of the mayor and of the committees to the other officers and municipal employees." Clerk a justice of the peace *ex officio*. He transmits orders to officers, &c.

27. Article 75 of the said act 51-52 Victoria, chapter 83, is replaced by the following: Id., art. 75, replaced.

"**75.** The treasurer shall be the sole collector and keeper of all sums payable and belonging to the council." Treasurer sole collector, &c., of corporation moneys.

28. Article 76 of the said act 51-52 Victoria, chapter 83, is replaced by the following: Id., art. 76, replaced.

"**76.** The treasurer shall not make any payment out of the funds of the city otherwise than upon an order of the council, or unless the mayor, or, in his absence, the pro-mayor, or the chairman of the committee, to which the account belongs, has approved the same; Payments to be made only on order of council, &c.

2. All vouchers for payments made by the treasurer shall be numbered in succession, and the number, the name, and amount shall be entered in the payment book; Vouchers to be numbered, &c.

3. The clerk shall also enter, immediately after its receipt, in the book called the "Record book," the titles of all papers, petitions, documents and letters addressed to or affecting the corporation of the city and the number which he gives to such document." Record book and what to be entered therein.

29. Article 77 of the said act 51-52 Victoria, chapter 83, is replaced by the following: Id., art. 77, replaced.

"**77.** The city clerk shall attend all the sittings of the council and of the committees, and shall enter all the Clerk to attend sittings

of council,
keep minutes.

Inspection of
minute book.

Id., art. 78,
replaced.

Custody of
books, regis-
ters, &c.

Id., art. 79,
replaced.

Copy certified
by clerk, &c.,
to be au-
thentic.

Id., arts. 80 to
84, amended.

Id., art. 85,
replaced.

Clerk and
treasurer to
deliver docu-
ments on pay-
ment of fees.

Copy certified
by either to
be evidence.

Id., art. 86,
amended.

Id., art. 87,
amended.

proceedings and deliberations of the council in a book kept for that purpose, which shall be called the "Minute book of the council of the city of St. Hyacinthe," and he shall allow inspection of the same during convenient hours, to any person interested."

30. Article 78 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

"**78.** The city clerk shall have the custody of all the books registers, valuation and assessment rolls, reports, *procès-verbaux*, deeds of apportionment, plans, charts, records, documents and papers belonging to the council."

31. Article 79 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

"**79.** Every copy of, or extract from such books, registers, valuation or assessment rolls, reports, *procès-verbaux*, deeds of apportionment, plans, charts, records, documents and papers belonging to the council and in the custody of the said clerk or treasurer, and certified by one of them, shall be deemed authentic."

32. Articles 80, 81, 82, 83 and 84 of the said act 51-52 Victoria, chapter 83, are amended by substituting the word: "treasurer," for the word: "secretary-treasurer," wherever the same may occur in the said articles.

33. Article 85 of the act 51-52 Victoria, chapter 83, is replaced by the following :

"**85.** The city clerk and treasurer shall deliver to any person applying for the same, upon payment of such fees as shall be fixed by the council, a copy of any document in their possession or custody or of record in their office.

Every such copy, certified by one of them as correct, shall be *prima facie* evidence of the contents thereof, and they shall allow all such documents to be inspected."

34. Article 86 of the said act 51-52 Victoria, chapter 83, is amended by replacing the words: "secretary-treasurer," in the first line, by the words: "clerk and treasurer."

35. Article 87 of the said act 51-52 Victoria, chapter 83, is amended by replacing the words: "or secretary-treasurer," in the last line but one of the last paragraph, by the words: "or the clerk."

36. Article 90 of the said act 51-52 Victoria, chapter 83, Id., art. 90, replaced.
is replaced by the following :

“ **90.** It shall be lawful for the council to contract loans Council may contract loans by issuing debentures.
by issuing debentures or bonds signed by the mayor and countersigned by the treasurer of the city, and sealed with the seal of the corporation, such bonds or debentures being made payable to the bearer at such periods as the council shall think proper to fix.

Such bonds or debentures shall bear interest payable Interest thereon.
at the date indicated in the said debentures, and at a rate not exceeding six per cent per annum; coupons for the amount of the semi-annual interest thereon may be attached Coupons.
to all such debentures; which coupons being signed by the mayor, and countersigned by the treasurer, shall be payable respectively to the bearers thereof, as soon as the semi-annual interest therein mentioned shall accrue, and upon payment thereof shall be delivered to the treasurer.

The possession of any such coupons by the treasurer Possession of coupons, proof of payment.
shall be *prima facie* evidence that the semi-annual interest therein mentioned has been paid according to the tenor of such debenture or bond.

All such debentures or bonds and interest, together with Security for bonds.
the principal thereof, shall be secured upon the general funds of the city.”

37. Article 91 of the said act 51-52 Victoria, chapter 83, Id., art. 91, replaced.
as amended by the act 54 Victoria, chapter 80, section 11, is replaced by the following :

“ **91.** The council shall not, in any case, contract any Loans of certain amount to be submitted to approval of electors.
loan or render the rate-payers liable for an amount exceeding eight thousand dollars, without having obtained the approval of the majority in number and in value of the assessed real property of those only of the electors who are proprietors, and as such are entered on the valuation roll, and who vote as hereinafter provided.

Such approval shall be expressed at the public meeting Approval to be expressed at public meeting.
presided over by the mayor, the city clerk acting as secretary, and duly called by notices published and posted up during fifteen days.

If one hour shall elapse after the opening of the meeting By-law approved if poll not demanded.
without a demand for a vote, the by-law respecting a loan or contract shall be deemed to be approved.

Six qualified municipal electors, present at the said meeting, Who may demand poll.
may demand a poll to establish such majority.

A poll shall be granted by the mayor, on being so demanded, and shall be held within four days next after such meeting, the city clerk acting as poll clerk under the Date of polling and formalities for voting.
direction of the mayor, and having, for voting purposes, a

certified copy of the list of the electors who are proprietors taken for such voting from the general list then in force.

Voting to be by "yea" or "nay."

Each elector shall then present himself in turn and shall give his vote : by "yea" or "nay"; the word "yea" signifying that he approves of the proposed loan, and the word "nay" signifying that he disapproves of the proposed loan or contract.

Qualification of voters.

No person's vote shall be received unless it appears by the valuation roll that he is duly qualified to vote as a municipal elector.

Duration of poll.

Such poll shall be held on one day, not being a Sunday or a holiday, from nine o'clock in the morning until five o'clock in the afternoon.

Counting of votes and certificate of mayor.

At the close of the poll, the mayor shall count the yeas and nays, and within four days thereafter he shall lay before the city council a statement showing the value of the real property of each of the voters according to the valuation roll then in force, and shall certify, for the information of the council, whether the majority, in number and in value of the assessed real property of the electors of the city who have voted, approve or disapprove of the said loan.

Certificate preserved with other documents. If loan approved.

This certificate shall be countersigned by the city clerk, and preserved by him with the poll book and aforesaid statement among the archives of his office.

Absence of mayor and clerk provided for.

If the loan or contract is approved of, as aforesaid, the council may contract it.

If, on the day appointed for holding the meeting above mentioned, the mayor or the city clerk, or either of them, be absent or refuse to act, a duly qualified elector shall be chosen by the said meeting to preside thereat, and another qualified elector shall be appointed to act as secretary.

Report to council if no poll held.

If there be no poll, the president and secretary of the meeting shall make a report to the council within the six days following, stating that no one has opposed the said by-law or mentioning the reasons for which the poll was not held."

Id., art. 92, replaced.

38. Article 92 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Contract, &c., how executed.

"92. Every contract or document, in which the council shall be a contracting party, shall be executed and signed by the mayor, countersigned by the city clerk, and sealed with the common seal of the corporation.

Protest, &c., to be made at office of city clerk.

Whenever it shall be necessary to serve any protest or any rule of court or summons, or other thing whatever in any action or prosecution, upon the mayor or council, such service shall be made at the office of the clerk."

39. Article 93 of the said act 51-52 Victoria, chapter 83, as amended by the act 54 Victoria, chapter 80, section 12, is replaced by the following:

“ 93. In order to raise the necessary funds to meet the expenses of the council, and to effect the several necessary public improvements in the city, the council shall have power to levy annually upon persons and upon moveable and immoveable property in the city, the taxes hereinafter set forth, that is to say :

Power to levy taxes upon persons and property, moveable or immoveable :

1. On every piece of land, town lot, or part of town lot, whether there are or are not any buildings thereon, a rate not exceeding three-fourths of a cent per dollar on their full actual value, as entered in the valuation roll of the said city ; but no land under cultivation or leased as a farm within the limits of the city shall be taxed by virtue of this act, except the lot on which the buildings shall be erected, which shall be assessed together with such buildings.

On real-estate ;

Exception as to farming lands.

The council shall have power to cause to be added in the valuation roll, at any time, by the assessors in office, on the valuation by them made, any part of such land under cultivation which shall have been detached from it as a town lot, and shall thus have become liable to assessment after the closing of the valuation roll, and to exact the tax as on the other pieces of land entered on the said roll.

On part of farming land laid out as building lots ;

2. On every stallion kept in the city, an annual tax of five dollars ;

On stallions ;

3. On every horse, three years old and over, an annual tax of two dollars ;

On horses ;

4. On every occupant of private lodgings occupied as a residence, other than the proprietor thereof, an annual tax of six per cent on the annual value of the premises occupied by such persons ;

On dwelling houses occupied by other than the owner.

5. On all merchants, traders, manufacturers, banks, bankers, brokers and exchange agents, auctioneers, grocers, bakers, butchers, hucksters, owners or occupants of houses of public entertainment, inns, coffee houses and eating houses, retailers of spirituous liquors, proprietors of wood or coal yards, slaughter-houses, laundries, printing establishments, pawn-brokers, livery stables, inspectors or dealers in potash, pork, beef, flour, butter, or other produce, railway, telegraph, telephone and light companies, and manufacturers and suppliers of motive power, insurance and steamboat companies, and their agents, doing business in the city, proprietors or managers of theatres, billiard rooms, bowling alleys, or other similar games, and generally all trades, manufactures, occupations, business, arts, professions, or means of profit or subsistence, whether they be above enumerated or not, which now are or may hereafter be exercised or carried on in the city, a business tax, at the rate of

On mer-chants, &c. ;

seven and one-half per cent on the annual value of the premises occupied by the said persons in the city, in which they do business or carry on such trade, manufacture, occupation, art, profession, or means of profit or subsistence; and, further, a duty or licence which it shall be lawful for the council to exact for the exercise of any of such offices, trades, arts, professions, business or industries in the said city, which licence shall not exceed the sum of one hundred dollars for any telegraph or telephone company.

On dogs; 6. On every person keeping a dog or dogs in the said city, two dollars yearly for each dog.

On bitches; 7. On every person keeping a bitch or bitches in the said city, three dollars yearly for each bitch.

On persons over twenty-one. 8. On every male person, twenty-one years of age or over, residing or working in the city and who is not liable for the payment of any tax or municipal dues to the council, an annual sum of two dollars.

Exception; This article shall not apply to ministers of any religion, to members of the clergy, or to students, apprentices or domestic servants.

On pedlars, &c., by licenses. 9. By annual licences or taxes, on any pedlar or itinerant trader selling in the city articles of commerce of any kind whatsoever, on any proprietor of a line of omnibuses and of vehicles for transporting goods or passengers, and upon any person, firm or company coming temporarily into the city for the purpose of selling any bankrupt stock or stock-in-trade, of goods and merchandize by auction or by private sale."

Id., art. 94, replaced. **40.** Article 94 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Tax on certain owners of shops, &c. " **94.** Owners of shops, workshops or factories, employing twenty persons or over, shall, in addition to the real estate tax on their shop and the lot occupied by them for that purpose, pay only one tax for their kind of business, namely: seven and one-half per cent on the annual value of their shop, workshop or factory, as shown on the valuation roll in force.

What tax to represent. This tax shall include and represent, in either case, that of the annual value and of the tax on moveable property.

On contractors. Contractors shall pay an annual tax of five dollars. "

Id., art. 99, replaced. **41.** Article 99 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Treasurer to make collection roll for business tax annually. " **99.** The treasurer shall, every year, after the deposit of the roll of tenants for each ward, make out, separately, a general roll of the business tax for the said ward, and shall enter thereon the names of each person, corporation, firm, company or

club assessed, the cadastral number, the annual value of the real estate, of the moveable property and the personal taxes for which they are liable; and he shall calculate and set down the various taxes and assessments payable by them, either under any by-law or otherwise, and the total amount with which each of them is chargeable.

The treasurer shall, at the commencement of each triennial period, prepare a roll of the real estate assessments for each ward of the city. Such roll shall contain the successive numbers and the cadastral numbers of the properties assessed, the names of the rate-payers, the valuation, the assessment for the current year and all other information deemed necessary.

Roll of real estate assessments.

What to contain.

After each of such assessment rolls is made, the treasurer shall deposit the same in his office, and give public notice informing the rate-payers of the deposit of each of such rolls, and requiring them to pay the amount of their assessment at his office within the delay mentioned in the notice, which shall not be less than twenty days from the date of the said notice, at the expiration of which delay the roll shall be in force.

Deposit of rolls and notice thereof.

The treasurer shall have and keep open a supplementary assessment roll for the purpose of entering therein the names of all persons, firms and companies omitted from the last general assessment roll, or who have become liable for municipal dues or bound to take out licences under any by-law of the council or indebted to the council in any manner whatsoever.

Supplementary roll.

In this supplementary assessment roll shall be entered the date on which such person, firm or company became liable to the tax or indebted to the council, or bound to take out a licence, the name of the rate-payer, his occupation, the cadastral number of the property which he occupies or in which his place of business is situated, as the case may be, the number of the house, the name of the street, the kind of business, or the nature of the debt, the amount due and the initials of the treasurer.

What to contain.

During the month of January in each year, the treasurer shall make out a statement of the amounts due to the council."

Statement to be submitted to council.

42. Articles 100, 101, 102, 104, 105, 107, 108, 109, 112, 114, 116, 118, 120, 121, 122, 123, 126 and 127 of the said act 51-52 Victoria, chapter 83, are amended by replacing the words : "secretary-treasurer," wherever they occur in the said articles, by the word : " treasurer."

Id., arts. 100, 101, 102, 104, 105, 107, 108, 109, 112, 114, 116, 118, 120, 121 to 123, 126 and 127, amended.

43. Article 132 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Id., art. 132, replaced.

Discount may be allowed on certain payments.

"**132.** It shall be lawful for the council to grant a reduction, not exceeding three per cent, on the total amount of the taxes and yearly municipal dues which any rate-payer may pay before the first of August in each year, and two per cent on all payments of taxes before the first of September following.

Interest to be charged on taxes not paid at certain time.

When taxes are not paid on the first day of October of each year, interest at the rate of six per cent on the amount thereof shall be added to the said taxes so long as they remain unpaid, without the council being obliged to make a by-law to that effect."

Art. added after id., art. 133.

44. The following article is added after article 133 of the said act 51-52 Victoria, chapter 83 :

Tax for drainage purposes.

"**133a.** It shall be lawful for the council to impose a tax, not exceeding five dollars, on every proprietor or occupant of lots in the city for the purpose of connecting a drain on his property with the public drains, and to compel him to pay such amount when he does not drain his property into the said public drains ; provided there be public drains in the street in which such property is situated.

Powers of council as to St. Hyacinthe water-works.

The council, which is now proprietor of the St. Hyacinthe water-works, shall have power to maintain the rates charged by the St. Hyacinthe water-works' company for water consumed, or to amend the same by resolution or by-law, adopting uniform rates ; to continue the special agreements made with the proprietors of industrial establishments, charitable institutions, the proprietors of educational establishments or religious houses, and generally all establishments not taxable under this act, and to renew and modify the said agreements ; to place hydrometers for the purpose of regulating, determining and measuring the quantity of water to be supplied by the water-works to any institution or religious or teaching community, already exempt by law from taxes, situate within the limits of the city, and to supply it with water at a rate fixed by the council, not to exceed fifteen cents per thousand gallons of water for charitable institutions supported by public subscription and thirty cents per thousand gallons of water for the others, the institutions or communities which shall obtain hydrometers as aforesaid, being obliged to pay the cost thereof to the city, and put them in at their own expense, and the city shall have the right to inspect them, whenever it deems expedient ; to compel proprietors, tenants or occupants of any buildings or part thereof in the city, supplied by water from such water-works, whether they consent or not to admit the pipe destined to convey water or to use the same, to pay the water tax ; to grant a discount, not exceeding three per cent, to all persons receiv-

Discount on certain payments.

ing water who pay the price thereof in one payment on or before the first of May in each year, and to regulate and administer the affairs of the said water-works.

The sums of money now due or which may hereafter become due for the supply of water, shall not be considered as municipal taxes, and they may be collected by means of a summary action before the Recorder's Court of the city." Water rates not to be considered as taxes and recovery thereof.

45. Article 136 of the said act 51-52 Victoria, chapter 83, is replaced by the following : Id., art. 136, replaced.

" **136.** It shall be lawful for the council to accept at any time the resignation of the mayor or of any alderman, and it shall then proceed with the election of another mayor or alderman, as the case may be, in the manner provided by this act." Resignation of mayor and aldermen provided for.

46. Article 138 of the act 51-52 Victoria, chapter 83, is replaced by the following : Id., art. 138, replaced.

" **138.** The city council shall have the right to impose a special tax upon all proprietors of lands in the city to meet the expenses of the opening and maintaining of streets and parts of streets, and the making and maintaining of sidewalks or drains in the city, if it deems proper to take charge of the same, such tax being apportioned according to the valuation roll of immoveable property then in force." Special tax on proprietors for maintenance of streets and sidewalks.

47. Article 139 of the said act 51-52 Victoria, chapter 83, is replaced by the following : Id., art. 139, replaced.

" **139.** The council shall have the right to order the draining and raising of all low lying lots in the city, on which there shall be stagnant water, and to cause the same to be fenced in or enclosed, by the proprietors, if not so already fenced in or enclosed. Draining and enclosing of lots.

In all these cases, the sum expended by the council shall remain charged upon such lots by special hypothec and privilege, in preference to any other debt whatever, and shall be recoverable in the same manner as the taxes due to the council." Privilege of moneys expended therefor.

48. Article 145 of the said act 51-52 Victoria, chapter 83, is replaced by the following : Id., art. 145, replaced.

" **145.** When the proprietor of a piece of land, situate within the limits of the city, which the council shall wish to purchase for purposes of public utility, shall refuse to consent amicably to such sale, or when such proprietor shall be absent from the Province, or when such piece of land shall belong to minors, children yet unborn, idiots, Expropriation of land by corporation.

lunatics, or married women, the council may apply to the Superior Court for the district of St. Hyacinthe, for the appointment, by the court, of an arbitrator to make, in conjunction with the arbitrator of the council, a valuation of the said piece of land; the said arbitrators having power to name a third in case of difference of opinion.

What arbitrators to take into consideration.

In deciding the amount of compensation to be paid, the arbitrators shall take into consideration the increased value given to the lots, from which the expropriated portion is to be detached, and set off, against the increased value given to such lots, the inconvenience, loss or damage resulting from the expropriation, and, when the arbitrators shall have made their report to the council at a regular sitting, it shall be lawful for the council to take possession of the said piece of land, on depositing the price at which it shall have been valued by the said arbitrators, in the hands of the prothonotary of the Superior Court, at St. Hyacinthe, for the use of the person entitled thereto.

Taking possession of property expropriated.

Six months after award, deposit to be withdrawn and held by treasurer subject to claim of owner.

If any person entitled to such indemnity does not present himself within six months after the making of the deposit in the hands of such prothonotary, so to claim the sum deposited, the said prothonotary shall return such sum to the treasurer of the city, to be by him placed with the moneys of the city, which sum shall be payable by the council, to any person entitled thereto, within three months, after a formal notification to pay such sum has been given to the treasurer of the said city.

Streets not to be opened without permission.

If opened, may be closed by council. Penalty for contravention.

No street shall be opened in the city without the permission of the council.

If any be opened without such permission, it may be closed by authority of the council of the city, without any formality, at the cost and expense of the person contravening, who shall further incur a penalty of from five to twenty dollars for each contravention, with costs."

Id., art. 152, replaced.

49. Article 152 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Penalty on officers neglecting duty.

" **152.** Any returning officer, deputy-returning officer, poll clerk, city clerk, treasurer, chief of police, constable, market clerk, rural inspector, and any person appointed by the council to exercise any power conferred by this act, who shall neglect or refuse to execute the duties of his office, or to obey any lawful order of the council, shall, for each offence, incur a penalty not exceeding five dollars."

Id., art. 156, replaced.

50. Article 156 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

Recorder.

" **156.** The court shall be held by the recorder, appointed in virtue of this act, and, in his absence, by the mayor, and

in default of the mayor, by the city clerk, with the same powers."

51. Article 172 of the said act, 51-52 Victoria, chapter 83, as amended by the said act 54 Victoria, chapter 80, section 15, is replaced by the following :

"**172.** All the powers conferred upon justices of the peace by the Revised Statutes of Canada, chapters 157, 176, 177 and 178, as regards summary orders and convictions, are conferred upon the said Recorder's Court, and the proceedings set forth in the said chapters shall be those observed by the said court.

The said chapters 157, 176, 177 and 178 shall apply to the said court as if they were incorporated with the present act.

Articles 2781 and following up to article 2820, inclusively, of the Revised Statutes of Quebec, shall likewise apply to the said Recorder's Court and to the recorder.

In the absence of the recorder, the clerk may adjourn the court to any future juridical day."

52. Article 195 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

"**195.** Every notice for the putting in execution of any by-law shall be posted in the office of the city clerk and inserted in a newspaper published in the city, during fifteen days before the day when such by-law shall become binding.

The posting of such notice, during the same time, in a public place of the city, selected for that purpose by the council, shall have the same effect, for all purposes, as the publication of such notice in a newspaper."

53. Article 196 of the said act 51-52 Victoria, chapter 83, is replaced by the following :

"**196.** Every public notice required by this act, unless otherwise provided for, shall be posted up in the office of the city clerk and inserted in a newspaper published in the city during fifteen days.

The posting up of such notice, during the same space of time, in a public place in the city, selected for that purpose by the council, shall take the place of the publication of such notice in a newspaper."

54. The following articles are added after article 197 of the said act 51-52 Victoria, chapter 83 :

"**197a.** The by-laws of the council shall be considered as public acts in the city, and judges as well as all other

Id., art. 172, replaced.

Powers of recorder.

R. S. C., c. 157, 176, 177 and 178 to apply.

R. S., 2781 to 2820, to apply.

Adjournment of court.

51-52 V., c. 83., art. 195, replaced.

Public notice of putting by-laws into execution.

Posting up to have same effect as publishing in newspaper.

Id., art. 196, replaced.

Public notice how given.

Posting up to take place of publishing in newspaper.

Arts. added after id., art. 197.

By-laws to be public acts, &c.

for ward No. of said city, and that they severally signed the said nomination paper in my presence.

Sworn (or affirmed) before me, at }
 the city of St. Hyacinthe, this }
 day of 18 }

Justice of the Peace,
 or City Clerk.

FORM B.

BALLOT PAPER.

..... WARD OF THE CITY OF ST. HYACINTHE.

1	<p>FONTAINE, Fontaine, Raphael E., Advocate, Q. C., of the city of St. Hyacinthe.</p>	
2	<p>GUERTIN, Guertin, Joseph Octave, Notary, of the city of St. Hyacinthe.</p>	X
3	<p>MARTIN, Martin, Silas T., Manufacturer, of the city of St. Hyacinthe.</p>	
4	<p>RAYMOND, Raymond, Maxime, Grocer, of the city of St. Hyacinthe.</p>	

The names of the candidates shall be as in the nomination paper.

There is to be no margin on the left side of the ballot paper and the horizontal divisional lines shall be carried to the edge of the paper on the right side.

The elector is supposed to have marked his ballot paper in favor of Joseph Octave Guertin.

There shall be a line of perforations for easily detaching the counterfoil.

FORM C.

DIRECTIONS FOR THE GUIDANCE OF ELECTORS IN VOTING.

The voter may vote for as many candidates as there are members to be returned, or he may vote for any number of candidates less than the number to be returned, as he thinks fit.

The voter shall go into one of the compartments, and, with a pencil there provided, place a cross in the division containing the name or names of the candidate or candidates for whom he votes, thus X.

The voter will then fold the ballot, so as to show a portion of the back only, with the number, and the initials of the deputy-presiding officer; he shall deliver it to the deputy-presiding officer, who shall place it in the ballot box.

The voter shall then forthwith quit the polling station.

If a voter inadvertently spoils a ballot paper, he may return it to the proper officer, who, on being satisfied of the fact, shall give him another.

If the voter votes for more candidates than he is entitled to vote for, or places any mark on the ballot paper by which he can afterwards be identified, his vote shall be void and shall not be counted.

If a voter takes a ballot paper out of the polling station, or fraudulently puts any other paper in the ballot box than the ballot paper given him by the deputy-presiding officer, he shall be liable to a fine of one hundred dollars or imprisonment for a term not exceeding three months.

FORM D.

OATH OF AGENT OF A CANDIDATE, OR OF ELECTOR REPRESENTING A CANDIDATE.

I, the undersigned, G. H., agent for (or elector representing) J. K., one of the candidates at the election now pending for ward No. of the city of St. Hyacinthe, solemnly swear (or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I will keep secret the names of the candidates for whom any of the voters at the polling station in the said ward marks his ballot paper in my presence at this election. So help me God.

G. H.

Sworn (or affirmed) before me, at }
the city of St. Hyacinthe, this }
day of 18 }

A. B.,
Deputy-presiding officer.
or C. D.,
Justice of the Peace.

FORM E.

OATH OF THE PRESIDING OFFICER.

I, the undersigned, A. B., officer presiding over the election for the city of St. Hyacinthe, solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I am legally qualified, according to law, to act as presiding officer for the said city of St. Hyacinthe, and that I will act faithfully in that capacity, without partiality, fear, favour, or affection. So help me God,

A. B.,
Presiding officer.

Sworn (*or affirmed*) before me, at)
the city of St. Hyacinthe, this)
day of 18)

C. D.,
Justice of the Peace,
or City Clerk.

FORM F.

OATH OF DEPUTY-PRESIDING OFFICER.

I, the undersigned, G. H., appointed one of the deputy-presiding officers of ward No. of the city of St. Hyacinthe, solemnly swear (*or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I will act faithfully in my said capacity of deputy-presiding officer, without partiality, fear, favour or affection. So help me God.

G. H.,
Deputy-presiding officer.

Sworn (*or affirmed*) before me, at)
the city of St. Hyacinthe, this)
day of 18)

C. D.,
Justice of the Peace.

or A. B.,
Presiding officer,
or City Clerk.

FORM G.

OATH OF POLL CLERK.

I, the undersigned, I. J., appointed poll clerk for the poll number _____ in ward No. _____ of the city of St. Hyacinthe, do solemnly swear, (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I will act faithfully in my capacity of poll clerk, and also in that of deputy-presiding officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

I. J.,
Poll Clerk.

Sworn (*or affirmed*) before me, at }
the city of St. Hyacinthe, this }
day of _____ 18 }

C. D.,
Justice of the Peace.

or G. H.,
Deputy-presiding officer,
or City Clerk.

FORM H.
FORM OF POLL BOOK.

Names of voters.	Addition or occupation.	Candidates.	Streets.	Proprietors.	Tenants.	Occupants.	Sworn.	Remarks.

FORM I.

FORM OF OATH OF QUALIFICATION OF A PERSON WHOSE
NAME IS REGISTERED AS QUALIFIED TO VOTE ON
THE LIST OF ELECTORS.

I, A. B., solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*):

1. That I am the person named or purporting to be named by the name of _____ (*and if there are more persons than one of the same name on the said list, inserting also his addition or occupation*) on the list of electors for the ward of the city of St. Hyacinthe ;

2. That I am a British subject by birth (*or naturalization, as the case may be*) and that I am of the full age of twenty-one years ;

3. That I have not voted before, at this election, in the said ward ;

4. That I have not received anything, nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team, or for any other services connected therewith ;

5. That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote, or to refrain from voting at this election.

6. That I paid my municipal taxes within the delay prescribed by law. So help me God.

FORM K.

OATH OF ASSISTANT OF THE PRESIDING OFFICER.

I, A. B., of _____ assistant appointed by C. D., officer presiding over the election for the city of St. Hyacinthe, do solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that the several boxes to the number of _____, now delivered by me to the presiding officer, have been handed to me by the several deputy-presiding officers at the present election for the said city (*or by, here insert the names of the deputy-presiding officers who have delivered the said boxes*), and that they have not been opened by me or any other person, and that they are in the same state as they were when they came into my possession. (*If any change has taken place, the deponent shall vary his deposition by fully stating the circumstances.*)

A. B.