

over by the recorder, who shall be appointed in the manner hereinafter prescribed, who shall sit in the city hall or any such other place as the council may determine.

Seal of court. The said court shall have a seal.

Appointment of recorder. **15.** The recorder shall be appointed by the Lieutenant-Governor in Council, and he shall be *ex-officio* a justice of the peace for the district of Montreal, having all the rights and powers of one or more justices of the peace and of the Recorder's Court.

Qualification. The recorder must be an advocate of at least five years' practice.

Appointment not to prevent his practising. Such office and the performance of the duties thereof shall not prevent the recorder from practising his profession before any other court, any law or regulation to the contrary notwithstanding.

Deputy Recorder. The by-law, establishing the Recorder's Court, within the limits of the city, shall mention how the recorder may appoint a deputy, how the clerk of the Recorder's Court shall be appointed, and what shall be the remuneration of each of them.

Clerk of Recorder's Court. **16.** This act shall come into force on the day of its sanction.

C A P . L X I .

An Act to further amend the charter of the town of Levis, as consolidated by the act 36 Victoria, chapter 60, and the acts amending the same.

[Assented to 8th January, 1894.]

Preamble. **W**HEREAS the corporation of the town of Levis has, by petition, prayed that its act of incorporation, as consolidated by the act 36 Victoria, chapter 60, and since amended, be again amended with a view to the better administration of the affairs of the said town ; 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 :

36 V., c. 60, s. 2, replaced. **1.** Section 2 of the act 36 Victoria, chapter 60, as amended by the act 42-43 Victoria, chapter 57, section 1, is replaced by the following :

Boundaries of town. **" 2.** The boundaries and limits of the said town of Levis have been, and shall be as follows, that is to say : In front, by the St. Lawrence, at the depth of forty feet at low water ; in rear, by the brow of the hill, in rear of Lambie's

mills ; thence, following the said brow of the hill, to the south-west line of widow Olivier Duclos' land, together with such extent of ground as is included by the south line of the properties of James Tibbits, the Quebec Warehousing Company, H. M. Patton, E. Coxworthy, James Reekie, W. Price, W. E. Price, David Ed. Price, John Lambie, and the properties of the Domain, as far as the division line between *Notre-Dame de la Victoire* and *St. Romuald*, at Etchemin river, and following the south-west line of the land of widow Olivier Duclos, and extending south to the public highway on the hill ; thence crossing the said road to a distance of six arpents ; thence in a straight line to the south boundary of F. Fortier's property ; thence in a straight line to the north-easterly line of Julien Chabot's property ; thence, towards the north, along the said line, to the centre of the public road ; thence, along the centre of the said public road, to the north-east line of Michel Bégin's property ; thence, towards the north, along the said division line, to the brow of the hill ; thence, towards the north-east, along the brow of the hill to the north-easterly line of Isidore Bégin's property ; thence, towards the north, to the River St. Lawrence, to the depth of forty feet at low water ;

And the said town shall be subdivided into three wards : Division into
wards :
St. Lawrence
ward.
The first, called St. Lawrence ward, shall be comprised within the following limits, that is to say : bounded in front by the River St. Lawrence, at the depth of forty feet at low water, beginning at the south-west line of the property of George Couture, running south-west to the line of division between the parish of *Notre-Dame de la Victoire* and *St. Romuald*, at the same depth of forty feet at low water ; thence, running south, to the north-west side of the St. Nicholas road ; thence, north-west, to the south-west line of the Domain property ; thence, south, to the end of its depth ; thence, north-east, to the north-east line of said property ; thence, north-west, to the property of John Lambie, following the rear and north-east side line of the said property, to the brow of the hill fronting the River St. Lawrence ; thence, north-east, following the brow of the said hill, to the south-west line of the property of William, William E., and David E. Price ; thence, south, to the end of its depth ; thence, north-east, to the north-east line of the said property ; thence, north-west, to the property of James Reekie, following the rear and north-east line of the said property, to the brow of the hill ; thence, north-east, following the brow of the said hill to the south-west line of the property of E. A. Coxworthy ; thence, south, to the end of its depth ; thence, north-east, to the north-east line of the said property ; thence, north-west, to the brow

of the said hill, following the said brow to the south-west line of the property of William Chapman ; thence, south, following the south-west brow of the hill or road, to the south-west line of the property of E. A. Coxworthy ; thence, south, to the end of its depth ; thence, north-east, to the south-west line of the property of A. C. Lemieux ; thence, north-west, to the brow of the hill fronting the River St. Lawrence ; thence, north-east, following the brow of the said hill, to the south-west line of the property of James Tibbits ; thence, south, to the end of its depth ; thence, north-east, to the north-east line of the said property ; thence, north-west, to the brow of the said hill ; thence, north-east, following the brow of the said hill to the hill called Davidson's hill ; thence following the west and north sides of the said hill to a point opposite to the south-west line of the property of George Couture ; and thence, north-west, to the point of departure ; together with all that part of the River St. Lawrence, in front of the said tract of ground, covered by forty feet of water, at low tide, comprised in the said parish ; and the said ward shall be represented in the council, hereinafter established, by three councillors.

Councillors
for ward.

Lauzon ward.

The second ward, called Lauzon ward, shall be bounded as follows, that is to say : commencing at the depth of forty feet at low water in the River St. Lawrence, opposite the aforesaid south-west line of George Couture, extending south to the north side of Davidson's hill and following the north and west sides of the said hill to the brow of the hill ; thence following the brow of the said hill, towards the north-east, to the south-west line of the land of Jean Baptiste Carrier, extended to the brow of the said hill ; thence, towards the south, as far as Richmond street ; thence, towards the north-east, along the avenue on the north side of *Notre-Dame*, to the south-west line of the land of Thomas Fraser ; thence, running south, along the said line, to the centre of the upper public road ; thence, following the centre of the public road, to the north-east line of the land of Michel Bégin ; thence, towards the north, along the said line to the brow of the hill ; thence, towards the north-east, along the brow of the said hill, to the north-east line of Isidore Bégin ; thence, north, to the depth of forty feet at low water ; and thence following a line at the depth of forty feet, to the point of departure ; and the said ward shall be represented by three councillors.

Councillors
for ward.
Notre-Dame
ward.

The third ward called Notre-Dame ward, shall be comprised within the following limits, that is to say : commencing on the brow of the hill, at the south-west line of the land of widow Olivier Duclos, at a distance of six arpents above the public road ; thence, in a straight line, to the southern boundary of the property of F. Fortier, Esquire ;

thence, in a straight line to the north-east line of the property of Julien Chabot, Esquire; thence, along the said line, towards the north, to the centre line of the public road; thence, along the centre of the said road, to the south-west line of the property of Thomas Fraser; thence, towards the north, along the said line to the brow of the hill; and thence, towards the south-west, along the brow of the said hill to the said south-west line of the said property of the said widow Olivier Duclos; and the said ward shall be represented by four councillors." Councillors for ward.

2. Section 27 of the said act is replaced by the following: 36 V., c. 60, s. 27, replaced.

"27. The system of rotation now established for the retirement of councillors from office shall remain in force, except that the provisions hitherto applicable in that respect to St. Lawrence ward, shall, in future, apply to Notre-Dame ward. Retiring of councillors.

The councillors, now in office for St. Lawrence ward, shall so remain until the expiration of their term; but the first vacancy, which shall occur in that ward in the month of January, one thousand eight hundred and ninety-four, shall be filled by the election of a councillor for Notre-Dame ward.

When two vacancies shall occur in the month of January, one thousand eight hundred and ninety-five, they shall be filled, but it shall be decided by lot which councillor shall be elected for two years and which shall be elected for three years."

3. The following section is added after section 30 of the said act: Sec. added after 36 V., c. 60, s. 30.

"30a. If, during his term of office, the mayor becomes unable to act through illness, absence or otherwise, the council may appoint a pro-mayor or acting mayor, who shall replace such mayor, but whose powers shall cease with such incapacity." Appointment of pro-mayor.

4. Section 83 of the said act, as amended by the act 50 Victoria, chapter 58, section 5, is replaced by the following: 36 V., c. 60, s. 83, replaced.

"83. On all lands, town lots and parts of town lots, whether there be buildings erected thereon or not, a sum not exceeding three quarters of a cent in the dollar on their whole real value, as entered on the assessment roll of the said town." Taxation on lands, &c.

5. Section 85 of the said act, as amended by the act 50 Victoria, chapter 58, section 7, is replaced by the following: 36 V., c. 60, s. 85, replaced.

"85. The council shall also have power to impose and levy, annually, taxes and specific duties upon cattle, Power to levy annual taxes and specific

duties on
trades, call-
ings, &c.

goods, trades, industries, commerce, business, manufactories, factories, professions, and all callings whatsoever, upon companies or associations, incorporated or not incorporated, of every denomination, making lucre their object, upon the members of the said companies or associations, their employees and agents or agencies and their places of operation, in a word, upon all means of gain or livelihood whatsoever, and upon every person who does not already pay a tax or specific duty on account of his trade, business or employment of any kind, but who resides in Levis.

The taxes and specific duties mentioned in the present section may be imposed upon and exacted from any person, whether he resides within the limits of the town of Levis or not, provided he carries on a trade, business, calling or industry therein.

Power to tax
non-residents
who carry on
trade, &c., in
town.

The council shall also have the right and power to impose upon persons who do not reside within the limits of the town, but who carry on any trade, business, industry, calling or occupation whatsoever therein, for which a tax or a specific duty is imposed, a tax or specific duty, not exceeding double the amount of that imposed upon persons residing within the limits of the town for carrying on a similar trade, business, industry, calling or occupation therein.

Sec. added
after 36 V., c.
60, s. 85.

6. The following section is added after section 85 of the said act :

Taxation of
occupant of
property
exempt from
taxation.

"85a. If any person, firm, corporation or company, whatsoever, other than the proprietor, occupies a property or a portion of a property exempt from assessments and taxes, the corporation may levy upon such person, firm, company or corporation an amount of assessment and taxes equal to one half of what the corporation might impose on the said property or the said part of a property, if the latter were liable to taxation, and, in the latter case, the assessors shall enter the value of such part of a property upon the roll to serve as a basis for the taxation."

Secs. added
after 36 V., c.
60, s. 92.

7. The following sections are added to the said act after section 92 :

Statement of
appropria-
tions required
by committees
to be submit-
ted to council.

"92a. Every year, as soon as possible after the formation of the committees, each committee shall prepare and submit to the council a statement of the sums which it considers necessary for its expenses of the year, and the finance committee shall, at the same time, submit the statement of the probable revenue of the year.

Voting of ap-
propriations,
&c.

The council shall afterwards vote such appropriations as it may deem sufficient for each committee for the payment of the expenses so foreseen, but it shall reserve at least five per cent on its estimated revenue as aforesaid.

Reserve fund.

"§2b. No committee can expend anything beyond the amounts placed at its disposal by the council, and when insufficient, it shall ask for an additional appropriation, which cannot be granted otherwise than on the recommendation of the finance committee.

Committees not to expend beyond appropriations, &c.

In any case, no accounts shall be paid without the approval of the council sitting in committee of the whole.

Payment of accounts.

"§2c. No payment shall be made out of the reserve fund of five per cent or of the surplus amount of any appropriation, without special authority from the council, which may always alter the employment of the sums appropriated and apply them to another object.

Special authority required to expend moneys out of reserve.

"§2d. It shall be the duty of the council, at the beginning of the year following that in which there has been an excess of expenditure over the receipts, to provide for the payment of such excess, either out of the receipts of the year, if they are sufficient, or by means of a special assessment, which shall be levied and collected in the same manner as ordinary taxes.

Council to provide for payment of excess out of next year's income, &c.

"§2e. The money derived from the sale of real estate belonging to the town, of debentures or securities destined for the sinking fund, cannot be employed for any other purpose than the purchase of real estate, the redemption of bonds or debentures of the town, or the purchase of public securities of the Dominion or of the Province, or of municipal bonds or debentures."

Application of moneys from sale of real estate, &c.

8. The following section is added after section 99 of the said act:

Sec. added after 36 V., c. 60, s. 99.

"§99a. The council shall also have the right to close and abolish by by-law, by a vote of two thirds of the members present, any public street or road, whether such street or road has been opened by *procès-verbal*, by-law, or other public or private document, saving the recourse of any parties who suffer damages by reason of said by-law.

Power to close and abolish streets, roads &c.

It may also change the site and direction of any street or public road."

Change direction of streets or roads, &c.

9. Section 101 of the said act is replaced by the following:

36 V., c. 60, s. 101, replaced.

"101. For preventing obstructions of any kind whatsoever in the streets, and to oblige every railway company to erect gates with gate-keepers, at its own expense, on the roads and streets in the town crossed by such railway, and to impose a fine of twenty dollars for every day it refuses or neglects so to do after having been thereunto duly required.

Obstructions in streets, &c.

For preventing the obstruction of the streets by railway cars, locomotives and engines, and for imposing upon every railway company a fine, not exceeding twenty dollars, for each infringement of the by-laws to that effect."

Sec. added
after 36 V.,
c. 60, s. 153.

10. The following section is added after section 153 of the said act :

Issue of promissory notes, &c.

"**153a.** The council may, by resolution, decide to issue promissory notes, signed by the mayor and by the secretary-treasurer, payable at such places and on such terms and conditions as it may deem expedient, to pay accounts and current expenses, for an amount not exceeding in all five thousand dollars ; and such notes shall, in all cases, be paid in the fiscal year following that in which they shall have been given, either out of the general funds of the corporation or by means of a special assesment."

Sec. added
after 36 V., c.
60, s. 154.

11. The following section is added after section 154 of the said act :

Investment of
sinking fund.

"**154a.** The said sinking fund shall be deposited in a bank or invested in public securities of the Dominion of Canada or of this Province, or in municipal bonds or debentures, or be employed in redeeming the bonds or debentures of the town."

Inconsistent
provisions
repealed.

12. All acts or parts of acts, contrary to or inconsistent with the provisions of this act, are hereby repealed.

Coming into
force.

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

C A P. L X I I .

An Act to incorporate the town of Saint Jérôme.

[Assented to 8th January, 1894.]

Preamble.

WHEREAS the corporation of the town of Saint Jérôme, incorporated under the provisions of the Municipal Code, has, by petition, represented that the said provisions of the Municipal Code no longer suffice for its present wants, that it has become necessary to take more extensive measures for the administration of the said town, and has prayed to be incorporated as a town in accordance with the provisions of chapter one of title eleven of the Revised Statutes ; and whereas it is in the interest of the rate-payers of the said town of Saint Jérôme that the prayer of such petition be granted ;