

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repealed.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 All acts or parts of acts, contrary to or inconsistent with the provisions of this act, are hereby repealed.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

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

TITLE I.

ORGANIZATION OF THE CORPORATION.

SECTION I.

INCORPORATION OF THE TOWN.

1. The territory comprised within the present limits of the town of Saint Jérôme is erected into a town municipality under the name of: "The Town of Saint Jérôme," and the inhabitants of the said town of Saint Jérôme are incorporated under the name of: "The corporation of the Town of Saint Jérôme."

Town incorporated.
Name of town.
Name of corporation.

2. All *procès-verbaux*, assessment rolls, titles, claims, accounts, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, agreements, provisions, stipulations, or other municipal acts whatsoever, passed and consented by the council of the said town of Saint Jérôme under the Municipal Code, shall continue to have full force and effect until they be cancelled, amended, repealed or accomplished.

Existing procès-verbaux, &c.

3. All notes, bonds, debentures, obligations and engagements whatsoever subscribed, endorsed, accepted, issued or contracted by the said council, or by that of the said village of Saint Jérôme, up to the coming into force of this act, shall have all their legal effect, notwithstanding this act.

Bills, notes, &c.

SECTION II.

COUNCIL OF THE CORPORATION.

4. The council, as hereby constituted, is substituted, for all purposes, to the corporation of the town of Saint Jérôme, and succeeds to all its rights, powers, privileges, claims and obligations.

Council substituted to old corporation.

Nevertheless, the council of the said town of Saint Jérôme, as incorporated, shall remain in office and exercise the powers conferred by this act on the council of the town of Saint Jérôme until the first sitting of the council to be elected or appointed under this act.

Present council.

5. The municipal officers and employees of the said town of Saint Jérôme shall remain in office until removed or replaced by the council.

Officers continued in office.

Division into
wards :
St. Joseph
ward.

6. The town shall be divided in four wards, namely :

1. Saint Joseph ward, comprising all that part of the municipality situate to the east of the North River and bounded as follows : on the north, by the northern limits of the town ; on the south, by the line between the official numbers 97 and 202, starting from the North River to Labelle street ; thence, along the centre of Virginie street, to the intersection of the lines between the lots of C. A. M. Globensky and Edouard Lefebvre de Bellefeuille ; thence, along the latter line, to the line between lots numbers 51 and 283, and thence, along the latter line, towards the east, as far as the limits of the municipality of the said town ; to the west, by the North River, and to the east, by the said limits ;

Labelle ward.

2. Labelle ward, comprising that part of the town situate to the east of the North River ; bounded to the north, by the line of St. Joseph ward ; to the south, starting from North River, by the line between the official numbers 324 and 325, to Labelle street and St. George street, continuing along the centre of Conception street to the eastern extremity of lots numbers 284 A and 326 ; to the west, by the North River, and to the east by the division line between the town and the parish of St. Jérôme ;

St. Jean-Bap-
tiste ward.

3. St. Jean Baptiste ward, comprising the rest of the said town, situate to the east of the North River ;

St. Louis
ward.

4. St. Louis ward, comprising all that part of the town situate to the west of the North River, as well as all the islands in the said North River.

R. S., art.
4515, not to
apply and re-
placed.
Preparation of
list of elec-
tors.

7. Article 4515 of the Revised Statutes is replaced, for the town, by the following :

In the month of March of each year, the secretary-treasurer shall make out, for each ward, an alphabetical list of the names of the persons who, according to the valuation roll, appear to be municipal electors.

Payment of
taxes re-
quired.

No elector shall vote unless he has paid his taxes on or before the last day of December previous to the election.

Composition
of council.

8. The municipal council of the town shall consist of a mayor, and eight councillors elected in the manner hereinafter prescribed ; notwithstanding the provisions of article 4216 of the Revised Statutes, the councillors shall not be obliged to know how to read and write, but the mayor must know how to read and write, and the councillors must be qualified in the wards for which they are elected.

Councillors
per ward.

There shall be two councillors for each ward.

Quorum of
council.

9. The quorum of the council shall be five councillors.

10. The mayor shall be elected for two years and the councillors for three years.

Duration in office of mayor and councillors.

11. The first general election of the town council shall be held on the second Monday of the month of January *next, and the voting, if any, on the third Monday of the said month of January.

First election of council.

If such day be a non-juridical day, the election shall be held on the first juridical day following.

12. Two thirds of the members of the council may, by by-law or resolution, alter the mode of voting, and substitute voting by ballot for the open or public mode prescribed by the Town Corporations' General Clauses Act, by adopting for that purpose the principle of the Quebec Election Act, as set forth in articles 293 to 416, inclusively, of the Revised Statutes as well as the forms referred to in such articles. Notwithstanding article 4264 of the Revised Statutes, the voting shall last but one day, and shall not be adjourned or continued to a subsequent day.

Voting by ballot may be substituted for open voting.

Voting to last one day only.

13. During the two years following the first general election, which is to be held on the second Monday of the month of † January next, three councillors shall go out of office at each of the general elections of these two years, and lots shall be drawn in the manner determined by the council to decide what councillors shall so go out of office at the two general elections following the first election ; in the third year, the two other remaining councillors shall go out of office.

Retiring of councillors.

14. Notwithstanding the provisions of article 4289 of the Revised Statutes, the first sitting of the town council shall be held on the Monday after the closing of the first general election, in the meeting room of the municipal council.

First sitting of council.

The date of the subsequent sittings shall be determined by the council by resolution.

Subsequent sittings.

SECTION III.

VACANCIES IN THE OFFICE OF MAYOR AND COUNCILLOR.

15. Article 4274 of the Revised Statutes is replaced for the town, by the following :

R. S., art. 4274, not to apply and replaced.

When there is a vacancy in the office of mayor or councillor, the council, at its first regular sitting or at a special sitting, shall fill the vacancy, by resolution, either

Vacancy in office of mayor and councillor.

* Amended by section 1 of chapter 69 of these Statutes.

† Amended by section 2 of chapter 69 of these Statutes.

by appointing one of its members, if the office of mayor be vacant, or by appointing a person of the town duly qualified in the ward to be represented, if the office of councillor be vacant.

Vacancy filled by Lieutenant-Governor in default of council.

16. If the council refuses or neglects to fill such vacancies, any municipal elector may, by notice served upon the council, require such vacancy to be filled; and, if the council refuses or neglects to fill such vacancy within the fifteen days following the service of such notice at the office of the council, the vacancy shall be filled by the Lieutenant-Governor in the manner prescribed for the appointment of councillors, in default of an election.

Exclusive appointment by Lieutenant-Governor in certain event.

17. Whenever, owing to vacancies, there remain less than five councillors in office, the vacancies so caused in the council can be filled only by the Lieutenant-Governor in the usual way.

Notice to be given to councillor before declaring seat vacant, &c.

18. Any provision to the contrary notwithstanding, whenever a vacancy occurs, except in the case of vacancy caused by death, the council shall, before declaring the seat of the councillor or of the mayor vacant, give him notice of at least three days of its intention to declare such vacancy and to fill it.

How given.

Such notice shall be given by the secretary-treasurer, without any previous resolution of the council to that effect being necessary.

R. S., art. 4198, not to apply and replaced.

19. Article 4198 of the Revised Statutes is replaced, for the town, by the following :

Oath of office of member of council.

Every member of the council, so soon as he is appointed, makes oath well and faithfully to perform the duties of his office.

Before whom to be taken.

The oath of office of the councillors and of the mayor may be taken before a justice of the peace, the mayor then in office or the secretary-treasurer of the town council, and an entry is thereof made in the minute book of the proceedings of the council.

When member enters upon discharge of his duties.

A member of the council enters upon the discharge of his duties only after he has taken the oath of office.

SECTION IV.

CONTESTATION OF THE ELECTION OF MAYOR AND COUNCILLORS.

R. S., art. 4276, not to apply and replaced.

20. Article 4276 of the Revised Statutes is replaced, for the town, by the following :

Jurisdiction of court in election contestations.

The examination and decision of every contestation of a municipal election shall be vested in the Superior Court of the district or the Circuit Court of the district or county.

21. Article 4278 of the Revised Statutes shall not apply to the town of St. Jérôme, and the following is substituted therefor : R. S., art. 4278, not to apply and replaced.

Within thirty days from the date of such nomination, a copy of the petition, with a notice stating the day on which it will be presented, shall be served on and left with each member of the council whose nomination is contested. Notice of petition in contestation to be served.

22. Articles 4279 and 4280 of the Revised Statutes shall not apply to the said town, and are replaced by the following : R. S., arts. 4279 and 4280, not to apply and replaced.

No such petition shall be presented or received after the closing of the first regular term of the court following the date on which the nomination contested was held, nevertheless, if the nomination was held within the fifteen days preceding such regular term, a petition may be presented on the first day of the next term, whether it be regular or special. Delay within which to be presented.

The security required for costs may be given before the prothonotary or the clerk of the said court at least ten days before the presenting of the petition to the court, in default whereof such petition cannot be received by the court. Security for costs.

SECTION V.

ANNULLING OF BY-LAWS.

23. Article 4389 of the Revised Statutes is replaced, for the town, by the following : R. S., art. 4389, not to apply and replaced.

Any municipal elector may, in his own name, by petition presented to the Superior Court, or to the Circuit Court of the district or county, or to one of the judges thereof, demand and obtain, on the ground of illegality, the annulment of any by-law of the council, with costs against the persons liable therefor. Who may demand annulling of election.

24. Article 4393 of the Revised Statutes is replaced, for the town, by the following : R.S., art. 4393, not to apply and replaced.

The rules prescribed in articles 4280, 4281, 4282, 4283, 4284, 4286 and 4288, apply also, *mutatis mutandis*, to the petition presented in virtue of articles 4389, 4390, 4391 and 4392. Rules applicable.

As regards article 4281, the petitioner shall give security for costs at least ten days before the presenting of the petition to the court, in default whereof such petition cannot be received by the court. Such security shall be given before the prothonotary or the clerk of the Circuit Court, as the case may be. Security for costs when to be given

TITLE II.

SECTION I.

POWERS OF THE COUNCIL.

R. S., art. 4414, not to apply and replaced. Sum payable for certificate to obtain license.

25. Article 4414 of the Revised Statutes is replaced, for the town, by the following :

To fix a sum, not exceeding one hundred dollars, payable for the granting of the certificate to obtain a license to authorize the sale of spirituous, vinous, alcoholic and intoxicating liquors.

Additional powers by by-law :

To assist persons founding any industry ;

Convert the present debt of the town ;

Approval of electors required.

Build abattoirs.

Erect, &c., markets.

R. S., art. 4408, not to apply.

Leasing of stalls, &c., in markets.

Sale of goods, &c.

Hucksters.

26. In addition to the powers conferred by article 4404 of the Revised Statutes, the town council may also, by by-law :

1. Assist one or more persons, commercial firms or joint-stock companies, already founded or projected, who carry on or intend to carry on any industry or work whatsoever within the town, by lending money or granting bonuses, or subsidies in money or real estate, on such conditions and security as it may deem expedient ;

2. Convert, in any such manner as it may deem expedient, all the debts and obligations actually due by the town at the date of such conversion, and extinguish them by means of an issue of bonds and debentures.

In this case, as in that of the preceding article, such by-laws shall be subject to the approval, in the usual manner, of the municipal electors, who are property holders ;

3. Provide for the construction and maintenance of public or private abattoirs within or without the limits of the town, limit the number thereof, or prohibit them entirely ;

4. Erect, change, enlarge, abolish, or maintain the present public markets, or those which shall hereafter be established, and the site thereof ;

Article 4408 of the Revised Statutes shall not apply to the town.

5. Regulate the lease of stalls or other places in or in the vicinity of the markets ;

6. Regulate or prevent the sale or exposing for sale of all kinds of articles or goods, meats, fish, or certain articles in particular, restrict the sale of such goods and prevent their being sold elsewhere than on the public markets ; but the council may authorize any person to sell or offer for sale the goods above mentioned, outside the limits of the said market places, by giving them a permit to that effect on payment of such sum and on such conditions as shall be determined by by-law ;

7. Restrict and regulate the trade of hucksters and of persons who purchase, for the purpose of re-selling, articles brought into the town, and impose dues and taxes for carrying on such trade by license or otherwise ;

8. Determine in what manner produce and all other articles shall be sold and delivered, whether by quantity, ^{Manner of selling produce.} measure or weight, and compel all persons to observe, in such matter, the by-laws which the council shall hereafter deem useful to establish ;

9. Regulate the weighing and measuring of all lumber ^{Measuring of lumber.} for building purposes, sawn lumber, fire-wood, coal, salt, grain, lime, hay and straw, brought into or sold in the town by strangers or by persons residing therein ;

10. Determine and define the duties and powers of all ^{Duties of persons employed on markets. &c.} persons employed in superintending public weigh-houses or markets throughout the town, and confer upon such officers the power of confiscating goods, articles and produce in case of fraud as to measure, weight or quality, and determine the manner in which such confiscated articles shall be disposed of ;

11. Regulate the kind of vehicles in which articles shall ^{Vehicles, &c., on markets.} be exposed for sale upon the markets, and how they shall be placed there ; impose a tax on these vehicles, and establish ^{Tax thereon.} the manner in which such tax shall be levied ;

12. Prevent the building of stables, sheds, privies or any ^{Stables, &c.} other similar building on any property in the town at a distance of less than thirty feet from the street, and, on indemnifying the proprietors, remove all existing buildings, if they are not at that distance.

13. Order that all dangerous substances or such as are ^{Removal of dangerous substances.} injurious to the public health or safety be removed at certain hours in the night and through certain streets of the town ;

14. Prevent persons selling wood, oil, fluids, hay, straw ^{Sale of wood, &c.} and all other inflammable matter from carrying on their business without the authorization of the council, and prevent the storing of any such inflammable matter in any buildings, in contravention of the by-laws which may be passed to that effect ;

15. Fix and determine the alignment for buildings, streets, ^{Alignment of streets, &c., materials to be used in building houses, &c.} roads and avenues ; regulate the plans made to be followed and the materials to be employed in the construction of houses, and compel every such proprietor or builder to whitewash the roof of the buildings with lime or paint it with any other material determined by the by-law ;

16. Expropriate, in the manner prescribed by law, the ^{Expropriation of land, &c.} buildings and lots on which are now erected buildings or houses which do not comply with the conditions enacted by the by-laws which may be passed.

SECTION II.

SALE OF BREAD AND OF MILK.

27. The council may regulate the sale, weight and ^{Sale, &c., of bread.} quality of bread sold or offered for sale in the town, and

provide for the inspecting and seizing of bread, and the means of disposing of it after such seizure and confiscation ; and, to this end, authorize any police officer or other person indicated by the council, to enter into bakers' shops or other places or apartments, where bread is sold, and to stop, in the streets, the vehicles of bakers or other persons selling bread, for the purpose of inspecting the bread which they contain and of ascertaining its weight and quality.

Sale, &c., of milk.

28. The council is also authorized to regulate the sale, quality and inspection of milk, and its seizure and order its confiscation ; and, for that purpose, the police officers and other persons appointed by the council are invested with the same powers as those conferred in the preceding article.

SECTION III.

DITCHES AND WATER-COURSES.

R. S., art. 4452, not to apply and replaced. Sewers.

29. Article 4452 of the Revised Statutes shall not apply to the town, and the following provision is substituted therefor :

To levy, by special apportionment or assessment, a sufficient sum for making or repairing one or more common sewers in any street, or portion of a street, public square or special section determined by the council, from all the owners of lands situate along the line of such sewers, and determine the mode of making such sewers, and the manner of collecting the cost thereof, with, in addition, ten per cent for cost of collection, superintendence or other purposes.

Water-courses.

30. The council may, by by-law, order the recovery of the cost of works on water-courses ; cause all proprietors of lands liable to the payment of the costs which are to be apportioned, to be designated and assessed ; order works to be done for the purpose of utilizing old water-courses or drains as common sewers ; determine the sums to be apportioned among the interested proprietors who make use of such works for draining their lands or as common sewers, and pay any necessary indemnity.

SECTION IV.

ROADS.

Telephone and telegraph wires, &c.

31. The council may regulate the laying of telephone or telegraph wires or lines serving to light the town by electricity and the quality of posts and order them to be painted ; and order, if necessary, that the wires be laid underground in certain places so as not to obstruct the streets ; provided that an underground conduit be furnished by the corporation for the wires.

Proviso.

32. The council shall have the right, by by-law, to close and fence any street or portion of a street, lane or public square, and to sell the land for the benefit of the municipality.

Closing and fencing of streets, &c.

33. No proprietor who opens a street, portion of a street, lane, road or public passage, shall have the right to close the same without the consent of the council ; and such street, portion of a street, lane, road or public passage shall, after the lapse of ten years, become the property of the town, without any indemnity from the council, provided it continues to be used for the same purpose.

Private streets open to public not to be closed, when such streets become public.

SECTION V.

VALUATION ROLL.

34. Article 4500 of the Revised Statutes shall not apply to the town, and the following provisions are substituted therefor :

R. S., art. 4500, not to apply and replaced.

The following property is exempt from taxation :

Property exempt from taxation.

1. All lands and property belonging to Her Majesty, her heirs and successors, held by any public body, office or person, in trust for the service of Her Majesty, her heirs and successors ;
2. All federal and provincial property and buildings ;
3. Every place of public worship, presbytery and its dependencies, and every burying ground ;
4. Every public school-house, and the ground on which the same is erected ;
5. Every educational establishment subsidized by the state or by the town, and the ground upon which the same is erected ;
6. All buildings, grounds and property occupied or possessed by hospitals or charitable or educational establishments ; but property in the possession of such religious, charitable or educational establishments for purposes of revenue, shall not be exempt from taxation ;
7. Every court house and district gaol, and the grounds attached thereto.

The said exemption shall, however, not extend to the lots or buildings built on lots leased or occupied by tenants of the Government, and such lots belonging to the Government, which are occupied by tenants, shall be valued and assessed in the same manner as other immoveable property, and the taxes, shall be paid by the said tenants or occupants as if they were personally assessed.

Proviso.

The owners of the property above mentioned are, nevertheless, bound to the making and maintenance of roads, streets, water-courses, ditches, drains and sidewalks, water

Owners are bound for certain taxes and rates.

supply and lighting, according to the by-laws, and are bound to pay all special taxes for that purpose and compensation for the supply of water.

SECTION VI.

LOANS.

R. S., art. 4523, not to apply and replaced. Power to borrow for improvements.

35. Article 4523 of the Revised Statutes is replaced, for the town, by the following :

Approval of by-laws required.

The council of the town may, from time to time, borrow such sums of money for making improvements in the town, paying its debts or effecting the conversion and consolidation of its debt, and generally for all purposes within its jurisdiction ; and every by-law authorizing a loan shall be submitted to the votes of the electors who are real estate owners, and must obtain the majority, in number and in value, of the votes actually registered.

Promissory notes may be issued.

Nevertheless, the council may, by mere resolution, issue promissory notes, payable at such places and on such terms and conditions as it may deem expedient, for the settlement of accounts or other current matters, provided that the total amount of such notes does not exceed five thousand dollars.

Loan to be payable within fifty years.

36. The council cannot contract any loan for a period exceeding fifty years ; it may effect the repayment of such loan by annuities, if it deem expedient or advantageous ; but, in no case, shall the capital of such loan exceed an amount equal to twenty per cent of the estimated value of the taxable real estate of the town, according to the valuation roll then in force.

Annuities. Amount of loan limited.

R. S., arts. 4532 and 4533, not to apply and replaced. Proceedings at meetings of electors on by-laws submitted.

37. Articles 4532 and 4533 of the Revised Statutes are replaced, for the town, by the following :

Calling of meeting.

When a by-law of the council is to be submitted to the electors who are real estate owners, the proceedings of the meeting for that purpose and at the voting, if any, shall be as follows :

The general meeting of electors who are real estate owners shall be convened at least fifteen days beforehand, by public notice, published and posted up, signed by the mayor or pro-mayor, or by the secretary-treasurer, for a day determined by the council, and shall be held in the public municipal hall, at the hour of ten in the forenoon.

Who to preside.

The meeting shall be presided over by the mayor or pro-mayor, or, in the event of their absence or inability to act, by a person appointed by the secretary-treasurer or assistant-secretary.

Secretary. Reading of by-law.

The secretary-treasurer or assistant-secretary shall act as secretary of the meeting ; he shall read the by-law, submit

it to the meeting, and, if one hour elapses after reading the proceedings and the by-law, without any person presenting himself to vote, the by-law shall be considered as unanimously adopted by the rate-payers interested.

Approved, if unopposed during certain time.

The voting shall last but one day, from nine of the clock in the forenoon until five of the clock in the afternoon, and, if one hour elapses without a vote being taken, the voting shall be considered closed.

Voting to last one day only.

SECTION VII

TAXES AND THEIR COLLECTION.

38. In order to raise the necessary funds to meet the expenses of the council, and to effect all necessary and beneficial public improvements in the town, for the management of the property of the town, and to cover the expenses of administration generally incurred in the interest of the town, the council shall have the right to levy annually, upon persons and moveable and immoveable property in the town, all general and special taxes, contributions, licenses and other imposts, as hereinafter designated:

Imposition and levying of annual taxes upon:

1. Upon every lot, town lot or part of a lot, with all the buildings thereon erected, a sum not exceeding one cent in the dollar on the real value, as shewn on the valuation roll;

Immoveables;

2. Upon every tenant paying rent in the town, an annual sum not exceeding five cents in the dollar on the amount of the rent shown on the valuation roll, or of the annual value of the immoveable property occupied by him;

Tenants;

3. On the following moveable property and animals, the following sums, to wit:

Certain moveables.

a. Every stallion kept for covering mares, a sum not exceeding two dollars;

b. Every horse kept for hire, a sum not exceeding two dollars;

c. Every horse above the age of three years kept for domestic purposes, a sum not exceeding two dollars;

d. Every bull, a sum not exceeding one dollar;

e. Every ram, a sum not exceeding one dollar;

f. Every head of horned cattle, aged two years at least, a sum not exceeding one dollar;

g. Every dog or bitch, a sum not exceeding four dollars;

h. Every pig, a sum not exceeding one dollar;

i. Every covered carriage with four wheels, a sum not exceeding four dollars;

j. Every open four-wheeled vehicle, with two or more seats, a sum not exceeding three dollars;

k. Every cabriolet or light waggon, with one seat, a sum not exceeding two dollars;

l. Every sleigh, for two horses, a sum not exceeding one dollar ;

m. Every sleigh, for one horse, a sum not exceeding fifty cents.

Exemptions.

All winter or summer vehicles intended and used for transporting goods and produce, known as working vehicles, and all animals, implements and articles employed in agriculture or intended for farm work, shall be exempt from all taxes whatsoever.

Imposition of taxes, not to exceed certain sum :

39. The council may also, by by-law, determine, impose and levy certain annual dues and taxes not exceeding fifty dollars :

Upon certain persons.

Upon every proprietor or occupant of a house of public entertainment, private boarding-house, inn, coffee-house and restaurant ; upon every retailer of spirituous, vinous or fermented liquors ; upon every hawker or peddler selling any articles of commerce whatsoever in the town ; upon every proprietor, possessor, agent and manager of theatres, circuses, menageries and other such like exhibitions, billiards, bowling-alleys and other games and amusements of any kind whatsoever ; upon every auctioneer, grocer, baker, butcher, hawker, huckster, carter, livery-stable keeper, brewer, distiller and bottler ; upon every trader, manufacturer and their agents ; upon every proprietor or keeper of a coal- or wood-yard and slaughter-house ; upon every broker, exchange broker and pawnbroker and their agents ; upon every banker, bank and bank agent ; upon all insurance companies and their agents ; upon all commission merchants and their employees ; upon all telegraph and telephone companies and their chief agent ; upon all manufacturers of ginger-beer, spruce-beer, and root-beer and their agents ; upon all brick manufacturers, lumber merchants, proprietors or occupants of mills driven by water, or steam-power or electricity, and tanneries ; upon all heavy scales ; upon all bailiffs and druggists residing in the town ; and generally upon all commerce, industries, occupations, arts, trades and professions carried on or followed in the town, by all persons, firms or companies, either on their own account or as agents for others, and upon the premises in or upon which they are or may be carried on or followed.

Imposition of taxes upon persons exercising certain professions, trades, &c.

40. The council may likewise, by by-law, fix, impose and levy on all persons having an office in the town and practising therein the profession of advocate, physician, surveyor, notary, dentist, surgeon, oculist, accountant, photographic artist, business agent, veterinary surgeon, architect or civil engineer, and on every burgess or person withdrawn from business and living on his revenue, an annual tax not exceeding three dollars.

41. The council may appoint one or more persons to make the roll of persons and moveable property mentioned in articles 38, 39 and 40.

Appointment of persons to make roll under arts. 38 to 40.

42. The tax imposed under articles 38, 39 and 40 may, at the discretion of the council, be so imposed and levied by means of a license or permit, signed by the secretary-treasurer.

Taxes under arts. 38 to 40 may be levied by license.

43. The amount to be fixed for such license shall be in proportion to the extent of the business, industry or trade done by the person bound to take out such license, and shall be determined by the council at its discretion.

Amount for licenses how fixed.

No license can be granted for a longer period than twelve months.

License to be for one year.

The council grants such license on such conditions, and subject to such obligations and restrictions as it may ordain.

Conditions of license.

No one bound to take out a license shall carry on any commerce, business or trade in the town without such license, under penalty of a fine not exceeding fifty dollars, and, in default of payment, imprisonment not exceeding two months.

Penalty for carrying on business, &c., without license.

44. The tax imposed under and in virtue of article 43, upon every proprietor, possessor, agent and manager of theatres, circuses, menageries and such like exhibitions, may likewise be imposed and levied by means of a license according to the preceding articles.

Taxes under art. 43 on certain persons, may also be levied by license.

The amount of such license may be levied, if not paid upon demand to the secretary-treasurer or such other municipal officer as may be authorized by him, on all moveables and effects, even those exempt from seizure, found in the possession of every person connected with such theatre, circus, menagerie or other exhibition, upon a warrant of attachment signed by the mayor or by a justice of the peace of the town and addressed to a bailiff of the Superior Court.

Levy, if amount not paid.

The moveables and effects shall be seized and sold by the said bailiff, until he shall have raised an amount sufficient to cover the price of the said license and costs, in accordance with the rules of the Code of Civil Procedure for the execution of a writ of *feri facias de bonis* issued from the Circuit Court.

Sale of effects seized.

45. Article 4556 of the Revised Statutes shall not apply to the town, and the following is substituted therefor :

R. S., art. 4556, not to apply, and to be replaced.

The payment of municipal taxes may likewise be recovered by a suit in the name of the corporation before

Suit for taxes and before what court brought,

the Magistrates' Court or Circuit Court of the district or county, or before the Commissioners' Court or two justices of the peace.

Certain persons exempted from taxes may vote.

46. Any person, declared exempt from paying municipal or school taxes, on account of poverty, can vote without having previously paid his taxes.

TITLE III.

SPECIAL PROVISIONS RESPECTING THE SALE OF IMMOVEABLES ON WHICH TAXES ARE DUE.

R. S., arts. 4557 and 4558, not to apply.

47. Articles 4557 and 4558 of the Revised Statutes shall not apply to the town.

Sale of lands for arrears of municipal taxes.

48. In every case where a person not residing in the town is taxed for vacant property or other immoveables which he possesses, and, in every case where there is not sufficient seizable property to pay the taxes imposed on any person in the town for lands, buildings or other immoveables to him belonging, if the taxes are not paid within the twelve months after the notice of the deposit of the collection roll of the town has been given, the council may authorize the secretary-treasurer, upon his report to the latter effect, to sell or have sold by public auction, at the office of the council, or at any other place fixed by the council, in the manner hereinafter prescribed, the immoveable property, so indebted to the council for municipal taxes, which the council shall designate by resolution.

Sale of lands for arrears of school taxes.

49. The council may likewise, upon a certificate from the secretary-treasurer of the school commissioners for the town of Saint Jérôme, setting forth that the school taxes imposed upon one or more immoveable properties in the town have not been paid within the twelve months after the notice of the deposit of the collection roll of the said school commissioners was given, authorize the secretary-treasurer to sell or have sold, by public auction, at the office of the council or any other place fixed by the council, in the manner hereinafter prescribed, but at the costs, risk and peril of the said school commissioners, any immoveable property, so indebted for school taxes, designated by resolution of the said school commissioners.

List of lands to be sold.

50. The secretary-treasurer of the town shall prepare a list containing a sufficient description of the properties to be sold at public auction by order of the council ; and he shall, within fifteen days after such order has been given,

give public notice, in the manner required for the publication of by-laws, of the day, hour and place where the said public auction shall take place. Notice of sale.

51. The said notice, as well as the copies posted up, shall each contain the official numbers or at least a sufficient description of the properties to be so sold. What to contain.

52. The said notice shall be published twice, in French and English, in the *Quebec Official Gazette*, and at least once in one English and one French newspaper published in the district, if there be one, and if not, in the adjoining district, before the sale, which shall be held, in all cases, within the fifteen days following the last insertion in the said official gazette. Publication of notice in Quebec Official Gazette, &c.

53. At the time appointed for the sale, the secretary-treasurer, or some other person acting for him, sells to the highest bidder those lands, described in the list, upon which taxes are still due, after making known the amount to be raised on each of such lands, including therein a part of the costs incurred for the sale, proportionate to the amount of the debt. Proceedings at sale.

54. The purchaser of any land or portion of land must pay the amount of his purchase money immediately upon the adjudication thereof. Payment of amount of adjudication.

In default of immediate payment, the person making the sale, either at once puts up the land for sale, or adjourns the sale to the following or any other day within eight days, by giving all persons present notice of such adjournment in an audible and intelligible voice. Re-sale in default of payment, &c.

55. On payment by the purchaser of the amount of his purchase money, the secretary-treasurer sets forth, in a certificate made in duplicate and signed by himself, the particulars of the sale, and delivers a duplicate of such certificate to the purchaser. Certificate, on payment.

The purchaser is thereupon seized and possessed of the land adjudged, and may enter into possession thereof, subject to the same being redeemed within the two years next following, but, however, cannot carry off any timber from such land during the said years. Effect of certificate.

56. If, within two years from the day of the adjudication, the land adjudged has not been bought back or redeemed, according to the following provisions, the purchaser remains the irrevocable proprietor thereof. If land not redeemed.

57. Such purchaser, upon exhibiting the certificate of his purchase, and upon proving the payment of all municipal taxes, shall be entitled to the same. Title to purchaser.

pal and school taxes which, in the meantime, have become due thereon, is entitled, at the expiration of two years' delay, to a deed of sale from the council.

In whose name is deed given and by whom.

58. The deed of sale is executed, in the name of the municipality, by the secretary-treasurer, by deed before a notary.

Rights pass to heirs of purchaser.

59. All the rights acquired by the purchaser pass to his heirs or legal representatives.

Effect of sale.

60. The sale made under the provisions hereinabove is a title which conveys the ownership of the land adjudged.

Purges lands of hypothecs, &c.

Proviso.

61. It vests in the purchaser all the rights of the original owner, and purges the land from all privileges and hypothecs whatsoever, to which it may be subject, except claims to constituted ground rents, seigniorial rights and rents substituted therefor, municipal and school taxes, also the claim of the trustees for the amount of all assessments imposed upon the said land to defray the expenses of building or repairing churches, vestries, parsonages, and burial grounds, provided that, at least eight days before such sale, there has been lodged with the secretary-treasurer of the town a certified account establishing the amount of such arrears of ground rents, taxes, school assessments or assessments for the building or repairing of a church.

Who becomes purchaser at sale.

62. Whosoever offers at the time of the sale to pay the amount of the moneys to be raised, together with the costs, for the smallest portion of such lands, becomes the purchaser thereof, and such portion of the land shall be at once adjudged to him by the secretary-treasurer, who sells such portion of the property as appears to him best in the interest of the debtor.

Redemption by owner.

63. The owner of any land sold under the preceding provisions may, within two years next following the day of adjudication, redeem the same, by reimbursing to the secretary-treasurer the amount laid out for the purchase of such land, with the cost of the certificate of adjudication or acquisition, with interest at the rate of six per cent per annum, and, further, five per cent to cover all other expenses incurred by reason of such sale,—the improvements, if any have been made, shall also be paid for.

Redemption on behalf of owner.

64. Any person, whether authorized or not, may redeem, or recover such land in the same manner, but only in the name and for the benefit of the person who was the proprietor thereof at the time of the adjudication.

SECTION II.

FINES AND PENALTIES.

65. The fines incurred both by the officers of the council and by all persons bound and obliged by law to do some work or thing required by law shall be those determined in the following articles. Fines against:

66. Whenever the assessors shall neglect to make the valuation they are required by law to make, or shall neglect to draw up, sign and deliver the valuation roll to the secretary-treasurer within two months from the date of the order to that effect given them by the council, each of them shall incur a fine of two dollars for each day which shall elapse between the expiration of the said period of two months and the day on which such valuation roll shall be so delivered, or on which their successors in office shall be appointed. Assessors neglecting duties ;

67. Every member of the council, every officer appointed by the council, every justice of the peace, and every other person who refuses or neglects to do anything or perform any duty required of him or which is imposed on him by this act, shall incur a fine not exceeding twenty dollars and not less than four dollars. Officers neglecting duties ;

68. Every person who molests or impedes, or attempts to molest or impede any officer of the council or any constable in the performance of any of the duties imposed on him by this act, or by a by-law or order of the council, shall incur a fine of not more than twenty dollars nor less than five dollars for each such offence, in addition to the damages for which he may be liable. Persons molesting officers, &c. ;

69. Every person who wilfully tears, damages or defaces any notice or document which is, by this act, or by a by-law or order of the council, ordered to be posted up in a public place for the information of the parties interested, shall incur a fine of eight dollars for such offence. Persons damaging notices, &c. ;

70. Every person who votes at an election of mayor or councillor, without having at the time of his voting at such election, the qualities required by law to entitle him to vote, shall incur a fine of twenty dollars. Persons voting without being qualified ;

71. Whosoever causes any obstruction or commits any nuisance in and upon the municipal roads, sidewalks, or water-courses, or renders the use thereof inconvenient or dangerous, shall incur for each offence, in addition to the damages caused, a penalty of not less than two dollars nor more than ten dollars. Persons committing nuisances ;

Persons bound to the performance of duties on roads ;

72. Every person bound to perform, on municipal roads and sidewalks, the work prescribed by law, *procès-verbaux* or by-laws governing such roads or sidewalks, shall be responsible for the damages resulting for the non-execution of such works, in addition to a fine of from one to four dollars.

Corporation for default to keep roads in order, &c. ;

73. The corporation shall be bound to keep all the roads, sidewalks and bridges under its control in the condition required by the laws, *procès-verbaux* and by-laws governing the same, under a penalty of a fine not exceeding twenty dollars for each infringement ; it shall, further, be liable for all damages resulting from the non-observance of such *procès-verbaux*, by-laws or provisions of law, saving its recourse against the officers or persons in default.

Persons driving over bridges faster than at a walk.

74. Every person who shall drive his horse or horses at a pace faster than a walk over the bridges of the corporation, or who shall, in any way, damage such bridges, shall be liable to a fine of not less than two dollars nor more than twenty dollars, for each infringement, in addition to the damages caused.

SECTION III.

EXPROPRIATION FOR MUNICIPAL PURPOSES.

R. S., art. 4563, not to apply.

75. Article 4563 of the Revised Statutes shall not apply to the town.

SECTION IV.

EXECUTION OF JUDGMENTS AGAINST THE CORPORATION.

R. S., art. 4579, not to apply and replaced. Taxation of sheriff's costs on judgments against town.

76. Article 4579 of the Revised Statutes is replaced, for the town, by the following :

The sheriff's fees, costs and disbursements, on the execution of any judgment against the town, shall be taxed, in his discretion, by the judge of the court from which the writ issues, or by the prothonotary of the district from which the writ issues.

SECTION V.

MISCELLANEOUS PROVISIONS.

Maintenance of ditches, &c., for lands under cultivation, &c.

77. As lands under cultivation are comprised within the limits of the town, the council of the said town may, by by-law, provide for the making and maintenance of ditches, line fences, clearings and other works, necessary or useful for the cultivation of such land, and, for that purpose, appoint one or more special officers, with power to do and have such work done, and impose on such officers or on the persons bound to do such work, such fines or penalties as it may deem expedient.

Until such by-laws are made, the provisions of the Municipal Code shall apply to such lands, and the corporation shall be bound to appoint officers for that purpose.

Municipal Code to apply until by-laws are made.

78. This act shall come into force in the day of its sanction.

Coming into force.

C A P. L X I I I .

An Act to consolidate the acts respecting the corporation of the town of Salaberry of Valleyfield.

[Assented to 8th January, 1894.]

WHEREAS the corporation of the town of Salaberry of Valleyfield has, by its petition, alleged that it is necessary to amend and consolidate the acts 37 Victoria, chapter 48 ; 42-43 Victoria, chapter 62, and 50 Victoria, chapter 60, which relate to the said corporation, and has prayed that further and better defined powers be given to the said corporation ; and whereas it is expedient to grant the prayer of the said petition ;

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

PRELIMINARY TITLE.

MISCELLANEOUS PROVISIONS.

SECTION I.

DECLARATORY AND INTERPRETATIVE.

1. This act shall be known under the name of “ the charter of the town of Salaberry of Valleyfield.”

Name of Act.

2. The acts 37 Victoria, chapter 48 ; 42-43 Victoria, chapter 62, and sections 1 to 5, inclusively, and 57 to 67 inclusively, together with paragraph 4 of article 21 of chapter 60 of the act 50 Victoria, are repealed.

Acts repealed.

The act 46 Victoria, chapter 83, shall continue to have its effect.

Act remaining in force.

3. The articles of the law governing town corporations contained in chapter first of title eleventh of the Revised Statutes, which are not expressly excluded, shall apply to the corporation hereby constituted.

Provisions of the general act to apply.

4. As regards the said town, the words : “ Circuit Court of the county of Beauharnois, sitting at Salaberry of Valley-

Meaning of certain words.