

Id., art. 15, re-
placed.

11. Article 15 of the said act is replaced by the following :

Granting of
poll.

“**15.** If, one hour after the opening of such meeting, there have been and remain nominated for the office of mayor more than one person, and for the office of councillor, in one or more wards, more persons than there are councillors to be elected therefor, it shall be the duty of the presiding officer to grant a poll for the election of mayor and for such ward or wards, and the election shall be held on the following Monday.”

Id., art. 16, re-
placed.

12. Article 16 of the said act is replaced by the following :

Opening of
poll.

“**16.** The poll shall be opened at ten o'clock in the forenoon and closed at five o'clock in the afternoon of the same day.

One polling
day and
where poll to
be held.

There shall be but one voting day and a poll in each ward in which an election is held, with, in addition, a poll at the town-hall for the election of mayor.

Where elec-
tors may vote.

The electors may vote, indifferently, either at the poll or town-hall, or in that of their respective wards, provided they vote but once at such election.”

Id., art. 17, re-
pealed.

13. Article 17 of the said act is repealed.

Coming into
force.

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

C A P. L X V I.

An Act to amend and consolidate the charter of the town of Chicoutimi.

[Assented to 8th January, 1894.]

Preamble.

WHEREAS it is expedient to grant the petition of the council of the town of Chicoutimi, praying that the charter of the said town be amended and consolidated, and that more ample powers be granted to the corporation ;

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

42-43 V., c.
61, repealed
and replaced.

1. The act 42-43 Victoria, chapter 61, incorporating the town of Chicoutimi, is repealed and replaced by this act.

Certain ar-
ticles of Re-
vised Statutes
not to apply
to town.

2. The following articles and parts of articles of chapter first of title eleventh of the Revised Statutes, to wit : articles 4195, 4229, 4230, 4231, 4233, 4234, 4236, 4238, 4240,

4241, 4256, 4257, 4258, 4263, 4264, 4265, 4266, 4267, 4275, 4289, 4290, 4323, 4329, 4330, 4332, 4402, 4403, 4405, 4414, 4430, 4475, 4486, 4514, 4550, 4551, 4552, 4553, 4554, 4556, 4557, 4558, 4584, 4592 and following to 4615, including paragraph 6 of article 4213; paragraph 4 of article 4216; paragraphs 2 and 4 of article 4235; the second clause of article 4288 and the second clause of article 4367, and all other provisions of the said chapter of the said title, which are inconsistent with any of the provisions of this act, shall not apply to the town of Chicoutimi.

The provisions of the articles and parts of articles aforesaid, as well as of the act hereby repealed, are replaced by the following provisions of this act.

3. The articles herein referred to by their numbers are articles of the Revised Statutes, except when otherwise enacted.

Articles referred to are articles of Revised Statutes.

4. The words: "the town," "the said town," "the council of the said town," or "the said council," whenever used in this act, shall mean the town of Chicoutimi or the council of the town of Chicoutimi, as the case may be.

Interpretation of words.

5. The corporation of the town, hereby constituted, is substituted in all the rights, obligations, claims, actions, privileges and duties of the existing corporation, in virtue of the act hereby repealed, and it is the continuation thereof.

Corporation substituted to existing corporation.

6. The municipality of the town continues to exist with its present limits as defined in its charter, repealed by this act, and the inhabitants of the said municipality shall continue to form a corporation under the name of "the town of Chicoutimi."

Municipality continues to exist, &c.

Name.

7. The present mayor and councillors of the town of Chicoutimi, and the persons replacing those who go out of office, shall remain in office and continue to manage and administer the affairs of the town up to the general elections which shall be held on the second Monday of January, one thousand eight hundred and ninety-five, and thereafter until they are replaced.

Present mayor and councillors.

First general elections.

8. The municipal officers and employees appointed by the town council shall remain in office until removed or replaced by the said council.

Present officers, &c.

9. The council shall, by resolution, appoint one of its members pro-mayor or acting mayor.

Appointment of pro-mayor.

His powers. He shall replace the mayor in the event of his being absent or unable to act and also while the office of mayor is vacant.

Existing
procès-ver-
baux, &c.

10. The *procès verbaux*, by-laws, resolutions, ordinances, decisions, orders, agreements, undertakings, rolls, lists, accounts and all municipal acts whatsoever lawfully enacted, made and consented by the council, shall remain in force until cancelled, repealed, amended or accomplished.

Composition
of council.

11. The council of the town shall continue to consist of seven councillors, one of whom shall be the mayor and president of the council, which shall be called: "the council of the town of Chicoutimi," and the quorum thereof shall be five.

Name.

Quorum.

R. S., art.
4195, re-
placed.

12. Article 4195 is replaced, for the town, by the following:

Election of
mayor.

The mayor is one of the councillors elected, or appointed by the Lieutenant-Governor in Council, in default of an election, and shall be elected by the council at the first general or special session held after each general election, and shall remain in office until the following general election, and thereafter until his successor has been elected, or appointed by the Lieutenant-Governor in Council, in default of election by the council; but, if the office of mayor becomes vacant before the expiration of the term of office, a substitute shall be elected by the council at its first general or special session after such vacancy has occurred, or shall be appointed by the Lieutenant-Governor in Council for the remainder of the term of office only, in default of election by the council.

Duration in
office.

Vacancy in
office.

R. S., art.
4229, re-
placed.

13. Article 4229 is replaced, for the town, by the following:

Term of office
of councillors.
First general
election.

The term of office for councillor is two years.

The first general election for replacing the councillors in office when this act shall come into force shall be held on the second Monday of the month of January, one thousand eight hundred and ninety-five, at the hour of ten in the forenoon, and afterwards every second year on the same day and at the same hour.

R. S., art.
4299, re-
placed.

Duties of
mayor.

14. Article 4299 is replaced, for the town, by the following:

The mayor shall see to the regularity of the proceedings of the council during the sittings and to the maintenance of good order by those who are present; shall decide all questions of order and procedure raised by a

councillor, and his decisions shall be obeyed unless they be reversed by the council on immediate appeal by one of the councillors; he shall also see that the accounts are well and regularly kept and carefully audited, and that the secretary-treasurer and auditors perform their respective duties faithfully as regards the keeping, rendering and auditing of such accounts; he shall likewise see that the minutes of each meeting are regularly and accurately entered in the minute book kept for the purpose by the secretary-treasurer and are duly signed.

15. Paragraph 4 of article 4216 is replaced, for the town, by the following :

R. S., art. 4216, § 4, replaced.

No one can be elected councillor of the town unless he has possessed, in the town, for six months, real estate of the value of five hundred dollars or over, in his own or his wife's name, in full ownership, the value of such property to be established by the valuation roll in force.

Qualification of councillors.

16. Paragraph 6 of article 4213 is replaced, for the town, by the following :

R. S., art. 4213, § 6, replaced.

Keepers of taverns, hotels or houses of public entertainment, or persons who have acted as such within the twelve preceding months, whether the immoveable belongs to themselves or to their wives separated as to property, or whether the licenses be in the names of such wives or not.

Certain persons not qualified as councillors.

17. Article 4233 is replaced, for the town, by the following :

R. S., art. 4233, replaced.

No general or partial election shall be held when the notice required by article 4232 of the Revised Statutes has not been given, and, in such case, a future day, as early as possible, shall be fixed by the council for the holding of such election; but the persons who have neglected to give the notice required shall incur a penalty not exceeding twenty dollars each.

Notice required to hold election. Future day, if notice not given.

18. Article 4234 is replaced, for the town, by the following :

R. S., art. 4234, replaced.

The meetings of electors for the holding of a general or partial election shall take place in the hall in which the town council holds its sittings, but the council may, by resolution, select another place for holding such meetings.

Where meetings of electors to be held for elections.

19. Article 4236 is replaced, for the town, by the following :

R. S., art. 4236, replaced.

When the secretary-treasurer cannot, for any reason whatsoever, act as presiding officer at a general or partial

Presiding officer, if

secretary-treasurer cannot act.

election for councillor, the mayor, or in his default the pro-mayor, shall appoint the assistant secretary-treasurer if he can act, and, if not, some other competent person to preside at the meeting, to fulfil the duties and exercise the powers of the secretary-treasurer as the presiding officer at such election.

Declaration by persons nominated as to persons whom they oppose.

20. Any person nominated for the office of councillor, if he be present at the meeting, and, in his absence, one of the electors who nominated him, shall declare verbally to the officer presiding at the meeting, to the election of which other person nominated for the office of councillor he is opposed; such declaration shall be taken down in writing by the presiding officer and by him communicated to the meeting.

R. S., art. 4240, replaced.

21. Article 4240 is replaced, for the town, by the following :

Declaration of election of unopposed candidates.

If, one hour after the opening of the meeting, there have been nominated for the office of councillor in one or more wards more persons than there are councillors to be elected, those whose election is not opposed under the preceding article shall be declared elected for the ward for which they were so nominated, and a poll shall be granted only for each ward in which there is a contestation; which poll shall be open on the Monday following the nomination day, in the same place where the meeting for the nomination was held.

Poll for others.

When to be opened.

R. S., arts. 4265 to 4267, replaced.

22. Articles 4265, 4266 and 4267 are replaced, for the town, by the following :

Appointment by Lieutenant-Governor, if election for councillors not held, &c.

When the election of councillors has not taken place in the month of January of the year in which it should have taken place under this act, the Lieutenant-Governor in Council, on being informed of the fact and on satisfactory proof thereof, shall appoint, from amongst the persons qualified, the number of councillors necessary to organize the council; and, when a vacancy occurs in the office of councillor or in that of mayor, and the council neglects, within thirty days, to proceed to the election of another under the provisions of article 4274 of the Revised Statutes, or neglects during the same period to elect some one to replace the mayor, the Lieutenant-Governor in Council, on information and proof as aforesaid, shall appoint a qualified person to fill the vacancy.

Filling of vacancies by Lieutenant-Governor.

R. S., art. 4275, replaced.

23. Article 4275 is replaced, for the town, by the following :

Contestation of election of councillors.

The election of any councillor shall be contested only by a defeated candidate or by three electors qualified

to vote in the ward for which the election has been held, for violence, bribery, fraud or incapacity, or for the want of observance of essential formalities.

24. The town council shall, in addition to the committees mentioned in article 4305 of the Revised Statutes, appoint and maintain three committees, consisting of at least three councillors each, including the mayor, who shall *ex officio* form part thereof.

Three committees to be appointed by council in addition to those under R. S., art. 4305.

One shall be called "the finance committee," and shall deal with all questions of finance concerning the town, the imposition and collection of taxes, assessments and dues, and all other means of raising revenue, the keeping of the accounts and books of account and their auditing, the necessity, amount and method of effecting loans, the appropriations to be given to the road committee for the work under control and ways and means.

Finance committee and its duties.

The second shall be called "the road committee," and shall have charge of the opening, making and maintenance of roads, sidewalks, ditches, water-courses, bridges, buildings and other public works under the control of the town; and no account for such works, over and above the sum of ten dollars, shall be paid by the secretary-treasurer for the corporation of the town, unless it be approved by such committee, which approval shall be certified by the chairman.

Road committee and its duties.

The third committee shall be called "the committee on by-laws," and it shall draw up by-laws, amendments to the charter, and contracts and agreements.

Committee on by-laws and its duties.

All applications, petitions and resolutions pertaining to the duties of any of such committees shall be subject to the approval of such committee, which shall report its decision to the council as soon as possible after the reference, but it shall always be lawful for the council to adopt, reject, modify or amend the reports of the committees.

Matters to be referred to and approval of committees required and report to council.

25. Paragraph 4 of article 4327 is amended, for the town, by adding the following thereto :

R. S., art. 4327, § 4, amended.

No one can act as assistant secretary-treasurer before the appointment is approved by a resolution of the council.

Approval of appointment of assistant.

26. Articles 4328, 4329, 4330 and 4332 are replaced, for the town, by the following :

R. S., arts. 4328 to 4330 and 4332, replaced.

The security of the secretary-treasurer for the faithful performance of all his duties shall be two thousand dollars, and shall be given by a guarantee policy of a company approved by the council; the premium may be paid by the town out of the salary of the secretary-treasurer.

Security to be given by secretary-treasurer.

27. The fiscal year for the town shall run from the first day of November of one year, to the last day of October

Fiscal year.

Statement to be submitted by secretary-treasurer and what to contain.

of the following year ; and, during the said month of November, the secretary-treasurer shall submit to the council a general statement of the receipts and expenditure of the year, a statement of all sums of money, fines or taxes due to the town, and a statement of its assets and liabilities, together with a certificate from the auditors establishing that the statements are correct.

When accounts to be audited.

28. The auditing of accounts mentioned in article 4352 shall be made for the town, during the first fifteen days of November of each year.

R. S., art. 4353, replaced.

Qualification of assessor.

29. Article 4353 is replaced, for the town, by the following :

No one shall be an assessor, unless he holds, in the town, in his own name or in that of his wife, as owner thereof, real estate of the value of five hundred dollars, as established by the valuation roll in force.

R. S., art. 4367, § 2, replaced.

How public notices to be posted, &c.

30. The second paragraph of article 4367 is replaced, for the town, by the following :

The public notice shall be posted up, by being pasted, with glue or mucilage, at the place indicated, and it shall be read at the door of the cathedral after divine service in the morning on the Sunday following its publication.

Amendment to R. S., art. 4367.

Stand for notices to be erected in certain place and what notices to be posted there, &c.

31. Article 4367 is amended, for the town, by adding the following :

The town shall erect and maintain, in a prominent place in front of the cathedral of the town, a stand at least four feet above the ground, from which shall be read the notices, by-laws, ordinances and decisions of the council or of its officers, which have to be read ; and on such stand shall be posted all documents respecting the municipal matters of the town which have to be posted and published ; and, at the other place where the said publication has to be made, a painted board shall be put up and maintained by the council for that object. Should such stand be accidentally removed, the said documents shall be posted and read as at present.

Publication of certain notice how made.

32. The notice mentioned in article 4388 is given and published at least eight days before the sitting of the council, at which the by-law mentioned in the said article shall be proposed.

How certain notices to be given.

33. Every notice given in virtue of article 4385 is published and read according to article 30 of this act.

34. Article 4380 is amended, for the town, by adding the following : R.S., art. 4380, amended.

The reading of a municipal by-law concerning the rate-payers or a portion of the rate-payers of the town shall be done at two consecutive sittings of the council held on two different days. When by-laws to be read.

35. Article 4414 is replaced, for the town, by the following : R. S., art. 4414, replaced.

Every person or commercial firm shall pay to the corporation of the town not less than fifty dollars and not more than one hundred dollars for obtaining from its council a certificate of the approval of any petition or application to the Lieutenant-Governor in Council for obtaining a license to keep a liquor store under the provisions of the Canada Temperance Act; and such person or commercial firm shall pay to the same corporation not less than fifty dollars and not more than one hundred dollars for obtaining the certificate and approval required for obtaining a license to sell liquor by retail or wholesale under the provisions of the Quebec License Law. Every certificate or approval obtained before having paid the sum due under this article shall be null and void. Cost of certificate to obtain license to sell intoxicating liquors under Canada Temperance Act. Cost of certificate under Quebec License Law.

36. The town may be sued and condemned to pay a fine, not exceeding twenty dollars, whenever its council neglects to perform and fulfil the obligations imposed upon it by article 4467 and paragraph 3 of article 4616 of the Revised Statutes; but the town has its recourse for obtaining reimbursement and compensation against the proprietors or possessors obliged to keep and maintain in good order that part of the road, street, sidewalk or passage way found in bad order, and whose negligence is the cause of such suit and condemnation. The town has the same recourse for the damages and costs to which it may be condemned under the said article 4467, and it may, in any suit for fine or damages, proceed in warranty against the party in default. Penalty upon corporation if it neglects certain obligations respecting roads. Recourse of corporation against persons in default.

37. It shall be lawful for the council to compel the proprietors or occupants of houses and other buildings built of wood or partly of wood, to whitewash such houses or parts of houses with lime as often as it may deem expedient and within the delay which it shall determine. Council may require wooden houses to be whitewashed.

38. If, after the valuation rolls have been declared closed, any immoveable property in the town is greatly reduced in value owing to fire, demolishing, accident, or other cause, the council may, on the petition of the proprietor, reduce the estimate of such property to its actual value. Deduction in value of property after fire, &c.

Addition to roll for new buildings, &c.

If there has been any omission in the said valuation rolls, or if any new building of a nature to increase the value of the real estate of the said town is put up after the closing of the valuation rolls, or if one or more lots are detached from land under cultivation and sold as town lots after the closing of the said rolls, the council may order the assessors to value such property so increased in value as aforesaid to add it to the rolls.

R. S., art. 4382, amended.

39. Article 4382 is amended, for the town, by adding the following :

Interval between passing and submitting by-laws to electors.

There must be an interval of at least ten days between the passing of a by-law to be submitted for the approval of the electors and the day on which it is submitted for such approval.

R. S., art. 4550, replaced.

40. Article 4550 is replaced, for the town, by the following :

General collection roll when made and proceedings by secretary-treasurer to collect assessments after notice given.

The general collection roll, mentioned in article 4547 of the Revised Statutes is made in the course of the month of May of each year on pain of nullity ; and, at the expiration of the twenty days following its publication, the secretary-treasurer demands payment of all sums due as shewn on the said roll, by making out the account of each rate-payer indebted according to the following form or any other of like tenor, and by sending such statement of account to each rate-payer by mail in a separate sealed envelope, prepaid and deposited in the post-office of the town by the secretary-treasurer or his assistant, and such deposit in the post-office shall be established by the oath of office of the secretary-treasurer or of his assistant.

Form of notice.

PROVINCE OF QUEBEC,
Office of the secretary-treasurer }
of the town of Chicoutimi.

Mr.

To the town of Chicoutimi,

DR

Assessment on the following properties belonging to you : Nos. , under by-law of the

Tax on your (*profession or occupation*), under by-law of the

Tax on (*mention the animals*), under by-law of the

And so on for each item and each year.

SIR,

You are hereby notified that, having failed to pay the amounts mentioned in the foregoing statement, within the

twenty days following the publication of the general collection roll, which was made on the _____, you are hereby required to pay the above amount to me, at my office, before the _____ day of the month of _____ 189 .

Town of Chicoutimi,

A. B.,

Secretary-treasurer.

41. Article 4551 is replaced, for the town, by the following: R. S., art. 4551, replaced.

After the fifteen days following the deposit in the post office of the statement of account mentioned in the foregoing article, the town may recover what is due to it by a suit before the Circuit Court of the district for sums under one hundred dollars, and before the Superior Court of the same district for sums of one hundred dollars and over. Collection by suit after certain delay.

42. The town council may, by by-law, order the building, rebuilding and maintenance, at the expense of the town, of existing public bridges and impose upon all rateable property of the town, or upon the rateable property of part of the town, a special tax or assessment to pay for such work, whenever it deems it necessary. Repairing, &c., of bridges.

43. Article 4565 is amended, for the town, by adding the following thereto: R. S., art. 4565, amended.

If the proprietor is a minor or not in the enjoyment of his civil rights and has no legal representative, or if the proprietor is absent or refuses or neglects to appoint an arbitrator, a judge of the Superior Court may appoint one on his behalf, upon application of the council to that effect. Appointment of arbitrator for minor or other proprietors.

44. The town council shall have power to erect any building, landing place, or other works which it may deem useful in the interest of the rate-payers of the town, within the limits thereof, or purchase any such building, landing place, or other public work already erected and belonging to a private individual; and no by-law or resolution passed for such purpose shall be submitted for the approval of the rate-payers, if the amount required for such works does not exceed five hundred dollars. Power to erect buildings, landing places, &c. By-law need not be submitted for approval of electors in certain cases.

45. All works done and executed by the town, the probable cost whereof shall exceed fifty dollars, shall be done by contract given out to a competent tenderer after tenders have been called for, during at least eight days, in the manner prescribed for public notices, and the council may exact one or more sureties for the execution of the contract. Contracts to be given for all works exceeding certain sum, after tenders called for.

Penalty on persons driving over bridges faster than at a walk.

46. It is forbidden to drive over the town bridges at a pace faster than a walk; and every person, driving or causing or allowing to be driven, a vehicle drawn by one or more horses belonging to him, at a pace faster than an ordinary walk, over any of the public bridges in the town, is liable to a fine of one to three dollars for the first infringement, and of a fine from two to four dollars for every other infringement.

Width of certain streets.

47. Every road or street, the opening and making whereof are ordered by the council, outside of the places reserved for streets, when the village of Chicoutimi was first laid out, shall be of such width, not less than thirty feet, as the council shall determine by by-law.

Duties of certain proprietors as to streets.

48. The proprietors, who are bound to maintain roads, streets and passage ways in the town, may be compelled, by a by-law of the council, to cart and spread, every year that the council shall order such improvements, on the portion of the road under their charge, such quantity and thickness of gravel or coarse sand as the council may deem necessary.

Work to be done by council, if proprietors are absent, &c.

49. Whenever a by-law is passed by the council ordering any works in the town, and there are proprietors who, through absence, poverty or other cause, are unable to perform the work ordered by the said by-laws, it shall be lawful for the council to cause the work to be done which such proprietors are obliged to do under the by-laws, and, in every case, the amount expended by the council shall remain as a special and privileged lien on such property before any other debt, and the sum shall be exigible in the same manner as taxes due to the council, with interest at six per cent.

Cost to be privileged debt on property, &c.

Control of ferry to Tremblay township.

50. The ferry over the Saguenay River, between the town of Chicoutimi and the township of Tremblay, is under the joint control of the corporation of both these localities, and for that purpose the provisions of articles 861, 862, 863 and 864 of the Municipal Code shall apply to the town of Chicoutimi.

Regulations by Lieutenant-Governor, if councils do not agree.

When the councils of the said two municipalities do not agree, the Lieutenant-Governor in Council, to whom the matter at issue shall be submitted by each council, may, under article 997 of the Revised Statutes, make such regulations as he may deem necessary, which shall be published in accordance with article 998 of the said Statutes.

Duties of inspectors and other road officers how determined, &c.

51. The duties of the inspectors and other road officers of the town are determined and established by by-laws of the council; and every such inspector and road officer is

liable to a fine not exceeding four dollars for each refusal or voluntary negligence to perform his duties ; but no such officer or inspector shall take out a suit in his official quality without being authorized by the mayor ; and such authorization shall render the town responsible for the costs.

52. Every proprietor, tenant, and occupant of land with-
in the town, who is bound, by the provisions of the
by-laws of the council, this act or the articles of the
Revised Statutes which apply to the town, to maintain
and keep in order a certain portion of the roads, side-
walks, and other public works of the town, and who
neglects or refuses to maintain and keep them in good
order, is liable to a fine not exceeding four dollars for each
refusal or voluntary negligence to do his duty.

Penalty on persons neglecting to keep road.

53. When there is a sidewalk only on one side of
the street, the council may impose the cost of construction
and maintenance thereof upon the proprietors or occupants
on both sides of the said street, each in proportion to the
extent of his lot.

Cost of maintenance of sidewalk on one side of street.

54. In the event of refusal or neglect on the part of the
proprietor or occupant to perform the prescribed work on
the roads, streets and sidewalks, the town inspector may,
after having caused a verbal or written notice of two days to
be given by the secretary of the council to the person in
default, cause such work to be done at the expense of the
person in default. Nevertheless, the cost of the work per-
formed, and of the materials supplied, shall not exceed five
dollars each year, for each lot liable to such work. If the
cost of the work to be done exceeds five dollars, the inspector
must obtain an order from the council before having such
work done.

Notice by inspector in case of negligence to perform certain works, &c.
Cost limited.
Order, if work exceeds that sum.

In either case, the cost shall be exigible without delay on
the mere production of a detailed statement, and the
amount shall be recovered in the same manner as ordinary
taxes, with privilege and hypothec on the land subject
thereto, without prejudice to the fines or damages incurred.

Cost how recovered.

55. The council of the town is authorized to contract
temporary loans by means of promissory notes, negotiable
and repayable out of the revenues of the town, with-
out obtaining the authorization of the rate-payers, and it
may bind itself to pay such interest on such loan, not exceed-
ing six per cent, as it may stipulate, provided the loans so
contracted and still due do not exceed, in the aggregate,
the sum of eight hundred dollars ; and the mayor and secre-
tary-treasurer are authorized to sign the promissory notes
to be given for such loans.

Temporary loans.
Amount limited.
Who to sign notes.

Tax on real estate.

56. The council is authorized to impose, levy and collect, annually, on all the taxable real estate of the town, a tax not exceeding, with those already imposed, two cents on the dollar of the value of such real estate, as established by the valuation roll in force, for the purpose of making the necessary improvements and repairs to the streets, roads and passage ways of the town, or to any part thereof, and to the bridges and sidewalks.

Issue of promissory notes.

57. The council may issue promissory notes, with or without interest, payable at such places and on such terms and conditions as it may deem expedient, to pay the accounts, work done, contracts or other debts contracted by the council within the limits of its powers. Such notes shall be signed by the mayor and secretary-treasurer. The council cannot bind itself for more than eight hundred dollars by such promissory notes.

Signature to notes.

Amount limited.

R. S., art. 4486, replaced.

58. Article 4486 is replaced, for the town, by the following :

Tax to meet interest on cost of water-works &c., by-law.

The council of the town may, for the purpose of meeting the interest on the sums expended in the construction of water-works, or for obtaining from any person or company owning the water-works of the town, the water required in case of fire, and for other public wants, and of establishing the sinking fund, impose by by-law on all taxable real estate or part thereof, a special annual tax sufficient to pay the said interest, and to establish the said sinking fund ; but such by-law shall not have force and effect until it has been approved by the rate-payers according to the provisions of articles 4531 and following to article 4537, inclusively, of the Revised Statutes.

Approval of by-law.

Corporation may obtain advice of counsel and pay for same ;

59. It shall be lawful for the corporation of the town :

1. To require and obtain the written opinion of any advocate, whom its council shall select as advisor, upon all questions of law and the interpretation to be given to any of the provisions of this charter and the provisions of chapter first of title eleventh of the Revised Statutes, and to pay for such opinion as an expense of administration ;

Pay certain sum to receive distinguished guests ;

2. To set apart, out of the general funds, and as an expense of administration, an amount not exceeding one hundred dollars, to pay or to assist in paying the cost of receiving any distinguished personage or any group of such personages, either clerical or lay, to whom the town council wishes to give an official reception ;

Pay competent person to draw up by-laws, &c.

3. To pay, as an expense of administration, a competent person to draw up the by-laws, which the by-law committee shall advise the council to pass, or to consolidate the existing by-laws, respecting roads and water-courses.

60. The council may, by by-law, regulate or prohibit the building, use or working, in the town, of any establishment or factory of a dangerous nature or calculated to be injurious to the public health ; impose a fine of one hundred dollars for the infringement of any by-law passed in virtue of this article, and, in default of payment of such fine and costs by the delinquent, an imprisonment not exceeding two months.

Council may prohibit working, &c., of dangerous factories, &c.
Fine for infringing by-laws.

Every such establishment, now existing within the limits of the town, in contravention of the above mentioned by-laws, shall be closed on a resolution of the council at the expiration of three months from the service of a notice to comply with such by-laws.

Order such now in existence to be closed, &c.

61. The council of the town, in addition to the powers conferred by the various articles of title eleventh of the Revised Statutes, as well as by the present act, may amend, repeal and replace, in whole or in part, from time to time, by-laws for each of the following objects :

Power of council to pass by-laws for :

(a). For compelling proprietors or occupants of houses or other heated buildings to make and place a good stone or brick chimney in every such building, and for determining the height of such chimney above the roof ; for prohibiting any fire being made in the building unless the same be provided with a good chimney kept in good order, and for prescribing the measures calculated to diminish danger from fire ;

Compelling persons to build chimneys :

(b). For forbidding sliding in the roads, streets or public places of the town, the throwing or firing of fire crackers and other explosive substances, and impeding traffic in any manner ;

Forbidding sliding on roads, &c. ;

(c). For the maintenance of good order, for the preservation of good morals, the closing and suppression of any disorderly house or building whatsoever, for punishing the occupants of such house or building and the persons who frequent the same ;

Maintenance of good order ;

(d). For imposing, levying and collecting annually a tax, not exceeding four dollars, on every advocate, physician, notary, surveyor, civil engineer, veterinary surgeon, druggist, and every other professional man practising and having an office in the town ; on every district magistrate, sheriff, registrar, prothonotary, clerk of the Circuit Court, Crown Lands' agent, school inspector and every public officer appointed by the Lieutenant-Governor in Council or any of the members of the Government of the Province of Quebec, residing or having an office in the said town ; on every book-keeper, agent, clerk, foreman, culler, and other employees residing in the town or working therein habitually, and whose revenues, emoluments, fees or salaries amount to four hundred dollars per annum.

Imposing, &c., taxes on certain callings and professions ;

Exemption
how claimed.

Every professional man, public officer and other employee bound to the payment of the taxes mentioned in this paragraph, who wishes to demand exemption, because his fees or revenues did not reach four hundred dollars during the previous year, must make his application and adduce his proof within the thirty days after the publication of the by-law ;

Imposing,
&c., tax on
merchants,
&c. ;

(e) For imposing, levying and collecting, annually, a tax, not exceeding fifty dollars, on every merchant, trader or firm carrying on business of any kind in a shop, shed, store or building whatsoever, or in a warehouse or other place within the limits of the town, which tax may be in proportion, as much as possible, to the value and extent of the business of each ;

Imposing,
&c., tax on
auctioneers,
&c. ;

(f) For imposing, levying and collecting, annually, a tax, not exceeding six dollars, on every auctioneer, jeweller, goldsmith, painter, baker, butcher, blacksmith, wheel-wright, joiner, carpenter, tailor, cabinet-maker, tanner, tinsmith, plumber, roofer, shoemaker, builder, undertaker, and other person carrying on any trade within the limits of the town, working there habitually or keeping an establishment therein as proprietor, agent or foreman ; which tax may, as much as possible, be in proportion to the probable revenue of the proprietors, agents and foremen ;

Imposing,
&c., tax on
proprietors of
printing
offices, &c. ;

(g) For imposing, levying and collecting, annually, a tax, not exceeding fifty dollars, on every proprietor of a printing office and upon every person carrying on the business of printer ; upon every broker, exchange broker, bank, banker, agency or branch of a bank ; upon every insurance company or its agent ; upon every commission merchant ; upon every owner of goods sold upon commission, and upon every proprietor, agent or director of a theatre, circus or other amusement, doing business or giving representations in the town ; to be proportioned, as much as possible, to the extent and value of each kind of business ;

Imposing,
&c., tax on
all industries,
&c. ;

(h) For imposing, levying and collecting on every industry and manufacture whatsoever in the town, an annual tax not exceeding fifty dollars ; but such tax may be imposed and levied according to the amount of the probable revenues and profits of each manufacture ;

Imposing,
&c., tax on
hawkers, &c. ;

(i) For imposing, levying and collecting, annually, a tax, not exceeding fifty dollars, upon every peddler or hawker who goes from house to house to sell any kind of goods and merchandise ; upon every merchant or trader whomsoever selling or offering his goods for sale in the roads, streets or public places, on the wharves, in a boat, schooner or other vessel, or in any vehicle ; and upon every proprietor or possessor of a stock-in-trade or goods and merchandise who settles temporarily in the town, for the purpose of selling and

offering such goods and merchandise for sale ; such tax shall be in proportion to the kind of business and to its importance, and shall be levied by compelling such peddler, hawker, trader temporarily in the town and other retailers to take out a license to sell within the limits of the town, by paying the taxes imposed ;

(j). For imposing, levying and collecting, annually, a tax, not exceeding ten dollars, on every proprietor, tenant or occupant of a hotel, boarding-house or other building in which travellers are harboured ; which tax shall be paid as the price of the license which each such proprietor, tenant or occupant, his agent or clerk, shall obtain from the council in the course of the month of April of each year, to be authorized to open and keep such hotel, boarding-house or other building intended for travellers ;

(k). For imposing, levying and collecting, annually, on each dog a tax of one dollar ; and on each stallion, bull or other animal kept for breeding purposes, a tax not exceeding four dollars ;

(l). For imposing, levying and collecting, annually, on every carter and owner of a horse and vehicle used for conveying travellers or other persons from one place to another in the town, or from a place inside to a place outside the town, a tax not exceeding four dollars, and for compelling such person to take out a license authorizing him to ply the trade of carter and carrier.

62. Article 4584 is replaced, for the town, by the following :

The fines imposed by the by-laws of the council or by the provisions of this act or of chapter first of title eleventh of the Revised Statutes, as well as all sums claimed in the name of the town or claimed from it, are recoverable by suit before the Circuit Court of the district of Chicoutimi, if the amount is under one hundred dollars, and before the Superior Court of the said district, when the amount of the suit is one hundred dollars and over.

63. The forms given in the appendix of the Municipal Code shall apply to the town and to its officers, but they may be modified according to circumstances.

64. The town continues to form part of the parish of St. François Xavier de Chicoutimi, for religious purposes ; and remains subject to the provisions of title nine of the Revised Statutes.

65. No by-law, which the said council may pass in virtue of article 4471 of the Revised Statutes, imposing a

Imposing, &c., tax on proprietors, &c., of hotels, &c. ;

Imposing, &c., tax on dogs, &c. ;

Imposing, &c., tax on carters, &c.

R. S., art. 4584, replaced.

Recovery of fines, &c.

Forms in appendix to Municipal Code to apply.

Town forms part of parish of St. François-Xavier de Chicoutimi.

Approval of certain by-law by electors required.

tax on the real estate in the municipality of the town or part thereof, shall come into force until approved by the rate-payers in the manner prescribed for loans.

Coming into force.

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

C A P. L X V I I .

An Act to erect the parish of St. Nazaire d'Acton into a municipality, detach certain lots from the county of Drummond, and annex them to the said parish and to the county of Bagot, for all municipal and school purposes.

[Assented to 8th January, 1894.]

Preamble.

WHEREAS the parish of St. Nazaire d'Acton, as civilly and canonically erected, is situated, partly in the county of Drummond, and partly in the county of Bagot ;

Whereas, by their petition, the inhabitants of the said parish have prayed to be constituted into a distinct and separate local municipality, situated entirely within the limits of the county of Bagot ; and whereas it is expedient to grant their prayer ;

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

Territory detached from Drummond and annexed to Bagot for municipal and school purposes.

1. The whole of the parish of St. Nazaire d'Acton, as canonically and civilly erected, a portion whereof is situated in the county of Drummond, and a portion in the county of Bagot, shall in future form part of the latter county, and be wholly comprised within its limits for municipal and school purposes.

Description of territory so detached and annexed.

In consequence thereof, all the lots from lot number one thousand and ninety-six, inclusively, to lot number eleven hundred and nine, also inclusively, lot number thirteen hundred and thirty-eight, inclusively, to lot number thirteen hundred and seventy-six, also inclusively, of the official plan and book of reference of the cadastre of the parish of St. Germain de Grantham, comprising the original lots one, two, three, four and five, in the eleventh, twelfth and thirteenth ranges of the said township of Grantham, already forming part of the said parish of St. Nazaire d'Acton, for religious and civil purposes, are hereby detached from the county of Drummond and annexed to the county of Bagot and to the said parish of St. Nazaire d'Acton, for municipal and school purposes.

Lots numbers twenty-six, twenty-seven, and twenty-eight, in the twelfth range of the township of Wickham, as original-