

CAP. LIV.

An Act to amend and consolidate the acts affecting the town of Côte Saint Antoine.

[Assented to 27th February, 1893.]

Preamble.

WHEREAS the town of Côte Saint Antoine has, by its petition, represented that it is desirable to amend and consolidate the act incorporating it as a town, and the other acts affecting the said town ;

Whereas the said corporation has prayed for the passing of an act to amend and consolidate the said acts, and to grant it further powers ;

Whereas it is expedient to grant its prayer ;

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

PRELIMINARY TITLE.

MISCELLANEOUS PROVISIONS.

SECTION I.

REPEALING AND DECLARATORY PROVISIONS.

Repeal of inconsistent provisions of 53 V., c. 76, and other acts.

1. The act 53 Victoria, chapter 76, as well as the acts amending the same, and all acts relating to the town, in force, in so far as the same are incompatible and inconsistent with the provisions of this act, are repealed.

Corporation substituted to former one.

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to the rights, privileges, obligations, property, claims and acts of the corporation existing in virtue of the acts repealed by article 1, and the present act shall not have the effect of dissolving the latter corporation nor of repealing any provisions of any acts not inconsistent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

SECTION II.

TEMPORARY PROVISIONS.

Present mayor and councillors.

3. The present mayor and councillors of the town of Côte Saint Antoine shall remain in office until their respective terms of office expire.

Present officers and employees.

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

5. All *procès-verbaux* and by-laws governing streets and water-courses, all rolls, commissioners' reports, accounts, all taxes and dues, by-laws, orders, lists, plans', resolutions, ordinances, agreements, undertakings, and all municipal acts whatsoever, passed and agreed to by the mayor and councillors of the said town, or their predecessors, or by the mayor and councillors of the heretofore village of Côte Saint Antoine, shall continue to have their full effect until they are cancelled, amended, repealed, resiliated or accomplished.

Existing *procès-verbaux*, &c.

6. All notes, bonds, debentures or obligations, and all securities and engagements whatsoever, subscribed, accepted, endorsed, issued or contracted by the council of the said town, or of the heretofore village of Côte Saint Antoine, shall continue to have their legal effect.

Notes, bonds, &c., issued, &c.

7. All acts inconsistent with the provisions of this act are hereby repealed; but the repeal of such acts shall not be understood as affecting any matter or thing done or required to be done, resolutions, decisions, orders or other proceedings of the council, debentures, promissory notes, shares or obligations issued or by-laws made under and by virtue of such acts, or rolls of assessment or apportionment; and the sinking fund to be provided shall continue to be regulated by such acts until they shall be changed, altered, replaced or repealed by any proceeding adopted in virtue of this act, in which case all such matters and things, resolutions, decisions, orders of proceedings, debentures, promissory notes, obligations and by-laws, and rolls of assessment or apportionment, shall be regulated and controlled by this act.

General repeal and effect thereof.

TITLE I.

ORGANIZATION OF THE CORPORATION.

SECTION I.

INCORPORATION OF THE TOWN.

8. The inhabitants and rate-payers of the town of Côte Saint Antoine and their successors are and shall continue to be constituted a body politic and corporate under the name of "The town of Côte Saint Antoine."

Town constituted.

Name.

SECTION II.

LIMITS OF TOWN AND WARDS.

9. The town of Côte Saint Antoine comprises the same territory as heretofore, to wit: the tract of land shown on

Boundaries of town.

the plan of the municipality of the village of Côte Saint Antoine, made under the provisions of the act 40 Victoria, chapter 39, as confirmed and ratified by the Superior Court on the sixteenth day of June, eighteen hundred and eighty.

- Division into wards. **10.** The town shall remain divided into four wards, each represented by three councillors, as at present determined by by-law, until otherwise ordered by the council.
- Alteration thereof. The council may also, by by-law, alter the boundaries of the wards, and increase or diminish the number of representatives for such wards, provided that each ward has the same number of councillors.

SECTION III.

COUNCIL.

- Composition of council. **11.** The council is and shall continue to be composed of twelve councillors elected for three years, until changed in accordance with the provisions of the preceding article.
- Appointment of mayor. **12.** At the first session of the council, after any general election of councillors, the members of the council must appoint as mayor any one of the councillors possessing the necessary qualifications.
- Quorum. **13.** The quorum of the council shall be a majority of its members.
- Meetings where to be held. **14.** The meetings of the council shall continue to be held at the present council chamber until otherwise ordered by the council, and the office of the council shall continue to be where it now is in the said town, until otherwise ordered by the council.

SECTION IV.

MUNICIPAL ELECTORS.

§ 1.—*Persons qualified to be electors.*

- Qualification of electors. **15.** Every person is a municipal elector, and as such has the right to vote at the election of mayor and councillors, and to exercise all the rights and privileges conferred on municipal electors by the provisions of this charter, who, at the time he exercises such rights and privileges, is within the following conditions :
- a. He must have attained the age of majority and be a subject of Her Majesty ;
 - b. He must have been in possession, in the municipality, during the preceding six months, either in his own name or

in the name and for the benefit of his wife, as appears by the valuation roll in force, as proprietor of real estate of the actual value of at least two hundred dollars, or as a resident tenant, farmer or lessee, or as occupant by any title whatsoever, of real estate of the annual value of at least twenty dollars ;

c. His name must be entered either as proprietor, lessee or occupant in the valuation roll in force in the municipality, or be entered on the list of municipal electors, if there be such list.

2. Spinsters and widows shall have the right to be entered upon the list of the electors of the town, and to vote at all municipal elections therein and on all questions submitted to such electors, when otherwise qualified as hereinabove provided.

§ 2.—*Election of officers.*

16. The meeting of municipal electors for the nomination of councillors is held at the town hall and is opened at nine o'clock in the morning of the day fixed therefor.

17. The secretary-treasurer of the council presides *ex-officio* at the election of councillors.

The presiding officer in all cases appoints an election clerk to assist him in the execution of his duties relative to the elections.

In the event of the secretary-treasurer being absent or unable to act, the election clerk, under the same penalties, shall discharge all his duties.

18. Electors shall only vote at the poll of the ward in which they are qualified.

Every elector, qualified to vote in more than one ward, may vote for the election of councillors in each ward, wherein he is so qualified.

19. Within three days next after the close of the election, the presiding officer thereof gives to each of the candidates elected councillor a written notice of his election.

20. When a vacancy occurs in the office of mayor or councillor, the election of a substitute as councillor is forthwith proceeded with on the day fixed by the council, and such election is held in the manner prescribed for general elections ; but if such councillor also held the office of mayor, the new mayor is appointed, from the members of the council, by the council, at the next session of the council after such election of councillor.

Annual report
to Provincial
Treasurer.

21. The secretary-treasurer shall annually, on or before the first day of June, make a report to the Provincial Treasurer, in the manner prescribed by article 1152 of the Revised Statutes.

SECTION V.

POWER TO MAKE BY-LAWS.

§ 1.—*Sale of intoxicating liquors.*

Council may
pass by-laws
to :

22. The municipal council of the town shall have power, by by-law :

Prohibit, &c.,
sale by retail
of liquors,
&c. ;

To prohibit or to restrict and regulate the sale by retail of any malt, spirituous, vinous, alcoholic or intoxicating liquors within the limits of the town, and to fix a sum, not more than two hundred dollars, for the granting of each certificate to obtain a license authorizing the sale of the same in the town ;

Cause dogs to
be muzzled,
&c. ;

23. To cause dogs to be kept muzzled or tied up ; to prevent them from being at large or without their masters or other persons to take charge of them ; to impose a tax not exceeding three dollars on the owners of every dog kept in the municipality ; to order that each such dog shall carry round its neck a medal indicating the number and the year for which the tax has been paid, and to authorize any municipal officer or other person to destroy, by poison or otherwise, all dogs found at large, contrary to municipal regulations.

Recovery of
penalty ;

The penalty imposed for any contravention of the by-laws made under this article may be recovered, except in so far as respects the tax, from persons residing outside the municipality whose dogs are found in contravention of such by-laws ;

Compel filling
up, &c., of
grounds ;

24. To compel or regulate the filling up, draining, clearing, altering, relaying or repairing of any grounds, yards, vacant lots, cellars, private drains, sinks, cesspools and privies, and to assess the owners or occupants of such grounds or yards, or of the real estate on which the cellars, private drains, sinks, cesspools and privies are situated, with the costs thereof, if done by the council on their default.

Proviso ;

Collection of
costs ;

The amounts so expended shall constitute a lien on the said lot or lots, and shall be recoverable in the same manner as a special tax thereon ;

Regulate
sewerage,
&c., for sani-
tary purposes.

25. To make any other regulations for sewerage or drainage that may be necessary for sanitary purposes ;

26. To construct and operate a line of street railway through any part of the town, and to lease the same for a period not exceeding thirty years, on such terms as the council may determine, and also to grant aid to any line of omnibuses, tramways, sleighs or other conveyances for the purpose of affording cheap and rapid communication between the western portion of the town, and the city of Montreal ;

§ 2.--Sewers.

27. To regulate the sewerage of the town ; to assess proprietors of immoveable property to defray the costs of making any common sewer in any street in which such proprietors own property ; subject, however, to the restrictions, hereinafter provided, respecting special improvements, including connections beyond such common sewer, and the private drains of such proprietors ;

28. To regulate the mode in which such assessments for such connecting drains shall be made, either by frontage of such property or otherwise, and the manner of levying such assessments ;

29. To regulate the time when private drains may be made, as also the manner and material with which the same may be constructed, the corporation making the same from the line of the street to the common sewer, and to assess the costs of the same on the owners of such property ;

30. The council may make special agreements with the city of Montreal, or with any municipality or municipalities, to secure, for a determinate period, an outlet for the sewerage and drainage of the said town, the compensation therefor to be determined either by amicable arrangement or by arbitration ; but, in the event of such outlet being refused, the town of Côte Saint Antoine shall have the right to build a main sewer to conduct the sewerage and drainage to the nearest and most convenient point in the river St. Lawrence through any municipality or municipalities, by paying therefor such reasonable compensation as may be awarded by the arbitrators.

31. One of such arbitrators shall be appointed by the council, another by the other corporation interested, and a third by the two others ; and in case of any such other corporation neglecting to choose and appoint an arbitrator, within thirty days after notice in writing to that effect served upon it by or on behalf of the town of Côte Saint Antoine, or in the case of the arbitrators chosen and appointed not agreeing upon the nomination of such third

arbitrator, an arbitrator for such corporation or such third arbitrator, shall be appointed by any of the judges of the Superior Court at Montreal. The arbitrators shall be sworn before any such judge before beginning their proceedings; they shall hear any witnesses who may be brought before them in relation to the matter of the arbitration, the witnesses being first sworn before any one of said arbitrators, each and all of whom are hereby authorized to administer the necessary oath, and the decision of the arbitrators or of any two of them shall be conclusive.

Further powers as to drainage;

32. To acquire and construct all such discharge drains and sewers, from the limits of the town to the place or places of connection in other municipalities, or to the river Saint Lawrence, as may be necessary to secure to the town such sufficient means of drainage and sewerage; and the cost thereof, or any compensation to be paid as aforesaid therefor shall be ascertained, laid and collected within the town in such manner as may be determined by the council, and the council may regulate the mode in which such assessments shall be made and the manner of levying the same.

Power to assess for construction, &c., of drain how exercised;

33. The power of the council to assess proprietors, according to frontage, to defray the cost of construction of a sewer in any street of the town, may be exercised as to any sewer that may be ordered to be constructed by the council, in any proposed street or lane not yet opened to the public, when the council shall consider such sewer necessary in the interests of public health.

Certain contracts not affected;

34. Nothing in the foregoing articles, respecting sewers, shall affect the contracts or agreements existing between the city of Montreal, the city of St. Cunégonde of Montreal, and the town of St. Henri, respecting drainage.

§ 3.—*Miscellaneous.*

Annex property in municipality adjacent to town;

35. To annex to the town, any portion or portions of immoveable property situated in any adjacent municipality, provided that the council of any such municipality and the proprietor of said portion or portions of immoveable property, consent to such annexation, on such terms as may be mutually agreed upon between the council of the said town and the councils of the said adjacent municipalities;

Sweep streets, &c.;

36. To have the streets and sidewalks swept, watered and kept in good order and to have the snow removed therefrom at the expense of the corporation;

- 37.** To regulate the width of streets, in accordance with the general laws of the Province, and to establish or alter the level or grade of any roadway or sidewalk in any street ; Regulate width of streets ;
- 38.** To fix and determine building lines on streets, roads and avenues ; to change the name of any of the streets, roads, avenues, boulevards, lanes or alleys, public ways or places in the town ; Determine line of streets ;
- 39.** To close any street or section of a street or public square, and to sell the land for the benefit of the town, provided, always, if any person suffers damage thereby he receives compensation, to be settled by arbitration ; Close streets, &c. ;
- 40.** To cause trees to be planted along the municipal or other roads, or along sidewalks or public places, at the expense of the corporation ; Plant trees ;
- 41.** To determine the direction of natural water-courses passing through private property, and to regulate all matters concerning the same, whether covered or not ; Determine direction of natural water-courses ;
- 42.** To restrain, regulate and prohibit any person from maintaining, using or keeping a slaughter-house in the town ; Restrain, &c., slaughter-houses ;
- 43.** To abate any public nuisance therein endangering the lives, health or safety of the public ; Abate, &c., nuisances ;
- 44.** To cause the arrest on view and punishment of all persons in the town disturbing the public peace, loitering in the streets, using profane, obscene or insulting language therein, or to any person or persons therein, incommoding peaceable passengers, and all drunken persons, and any person or persons breaking any by-law of the town respecting the public order, peace or health thereof ; Punish breaches of the peace ;
- 45.** To license, control and regulate the collection and storage of rags and other waste material ; Control, &c., storage of rags, &c. ;
- 46.** To license, regulate and inspect plumbing ; License, &c., plumbing, &c. ;
- 47.** To prevent horses or other animals from being cruelly treated, and to prevent the destruction or capture of birds ; Prevent cruelty to animals, &c. ;
- 48.** To regulate the laying of telegraph, telephone or other electric wires in the town, the length and kind of posts to be erected therefor, and order them to be painted, or order, if necessary, that wires in certain places be laid underground so as not to obstruct streets and highways ; Regulate laying telegraph, &c., wires ;

Regulate placing of telegraph, &c., posts ;

49. To order and regulate the placing of telegraph, electric light, telephone or other like posts in the town and the hanging and attaching of wires, and all other apparatus thereon, and to impose a penalty on the owners thereof, on any default to comply with such municipal orders and regulations, after forty-eight hours' written notice given of any such contravention or contraventions ;

Sanction railway, &c., tracks in streets ;
Regulate number of passengers to be carried ;

50. To sanction and permit, under such conditions and restrictions as the council may impose, a track of any street railway to be laid on any of the streets in the town ;

Regulate use of locomotive engines ;

To regulate the number of passengers to be carried in each car or vehicle used by such street railway ;

51. To regulate the use of locomotive engines or any other steam or motive power on any street railway in the town ;

Regulate speed of cars, &c. ;

52. To prescribe and regulate the speed of the cars, and to impose penalties, not to exceed four hundred dollars, upon the company managing any such railway, or on any of their servants, for each and every violation of any such by-law ;

Establish free libraries, &c.

53. To establish and maintain or aid in the establishment and maintenance of free public libraries, library associations and mechanical institutes, in the municipality or adjoining municipalities, in the manner required by article 4616b of the Revised Statutes.

Power to purchase Western Avenue.

54. The town is authorized, through its council, to purchase and acquire from the Côte St. Antoine Road Company, all that portion of " Western Avenue," situated within the limits of the town, on such terms and under such conditions as the council may deem advisable, provided that the price does not exceed five thousand dollars.

Loan for such

In order to obtain funds for the purchase of such portion of the said avenue, the corporation may contract a loan, or issue bonds or debentures on the credit of the town, to the amount of five thousand dollars, in conformity with the powers conferred on it respecting loans, on the terms and conditions to be determined by by-law or by-laws, the interest and capital fund of the said loan to be provided out of the general funds of the corporation.

Exemption of certain property from apportionment for opening streets.

55. When a proprietor cedes, gratuitously, to the town any land for a street traversing his property, the remainder of the property fronting on the new street may be, by resolution of the council, exempted, in whole or in part, from the apportionment necessitated by the opening of such street ; provided that the part so exempted is a depth of not more than one hundred and fifty feet.

Proviso.

56. The council shall have the power to cause such of the streets, avenues and highways in the town, or any part thereof, which shall not have been heretofore recorded or sufficiently described by *procès-verbal* or otherwise, and shall have been opened for public use for ten years, to be ascertained, described and entered of record in a book to be kept for that purpose by the secretary-treasurer of the town; and the said streets, roads, avenues and highways, when so entered of record, shall be public streets, roads, avenues and highways, and the record thereof shall in all cases be held and taken as evidence for their being such streets, roads, avenues and highways.

Recording of certain streets.

Effect of such recording.

57. If any road or avenue, not the property of the town, but opened to and used by the public, should be in need of repairs, the council shall have the right to compel the owner or owners of the said road or avenue to make such repairs, and if such repairs are not made within the delay fixed by the council, the council shall have the right to make such repairs and charge the costs thereof to, and recover the same from such owner or owners.

Repair, &c., of streets, not the property of town.

58. The council may make all agreements with the trustees of turnpike roads, concerning roads maintained by them, and with corporations, concerning roads belonging to them within the limits of the town, either by allowing the annual grant, or by purchasing said roads or otherwise, on such terms and conditions as the council may by-law determine.

Power to make certain agreements with trustees of turnpike roads.

The town may, with the permission of the Lieutenant-Governor in Council, obtained on petition to him addressed, in special and exceptional cases, order that the width of roads and streets in the town be less than sixty-six feet.

Width of streets may be less than 66 feet in certain cases.

SECTION VI.

PLANS OF THE TOWN.

59. Every plan or map of the municipality, or any part thereof, already made or which may hereafter be made, when confirmed by the Superior Court, shall be binding upon the corporation and the proprietors therein interested, and upon all other persons whomsoever; and no indemnity or damage shall be claimed or granted at the time of the opening of any of the new streets, public places or squares shewn on the said plan, or at the time of the widening of any of the streets, public places or squares indicated on the said plan, for any buildings or improvements whatsoever, that the proprietors or any persons whomsoever may have made or caused to be made, after the confirmation of the

Effect of confirmation of plans.

said plan, upon any land or property reserved either for new streets, public places or squares or for the widening of any of the streets, public places or squares in the town.

Proviso.

Provided that nothing in this act contained shall be construed as depriving the corporation of the right to widen or extend any of the streets, public places or squares designated in such plan, after its confirmation, or of abandoning the opening of any new street, or of the widening or extending of any existing street, as shown on the said plan; but no such modification or alteration shall be made unless it be resolved at a meeting of the council by a vote of two thirds of the members of the council, and thereupon any of the judges of the Superior Court may, upon a petition of the corporation, order that the duplicates of the said plan, deposited in the office of the prothonotary of the Superior Court, be modified or altered accordingly; and the said corporation may apply to any of the judges of the Superior Court for confirmation of any modification or alteration of the plan of the municipality already made, and which modification or alteration has been duly approved by a vote of two thirds of the members of the council; and the said judge may order that the duplicates of the said plan, deposited as aforesaid, be modified or altered accordingly.

Deposit of duplicate plan.

60. A duplicate of each of the said plans shall be deposited, immediately after its completion, in the office of the prothonotary of the Superior Court and another in the archives of the corporation; and after such a plan shall have been confirmed and ratified by the said court, the secretary-treasurer shall make an entry upon the duplicate of the said plan, deposited in the archives of the town, in the following words:—"Confirmed by the Superior Court on the.....day of.....one thousand....."

Opening, &c., of streets, &c., shown on plan, and expropriation for that purpose.

61. The town may open to the public any new street, highway, public place or square shown on the said plans or maps, and also may widen any of the streets, public places or squares thereon indicated as to be widened, after having adopted the formalities and procedure relative to expropriation and the levying of special assessments; and the said town shall be bound so to do, within one year from being thereto requested by a petition presented to the council, signed by such number of proprietors as own more than one half of the aggregate frontage on any of such new streets, highways, public places or squares, or section or sections thereof, as shown on the said plans, places or maps, or by those representing, administering or being interested in the said aggregate frontage, whether as tutors, administrators, guardians, institutes under substitu-

tion, curators, trustees or the like, and, in any event, the corporation shall be bound to expropriate the property within three years from the homologation of the plan, otherwise the proprietor shall not be bound by the plan.

SECTION VII.

SPECIAL IMPROVEMENTS.

62. The council may, from time to time, make, amend and repeal by-laws to raise, by special assessment or assessments, or otherwise, money sufficient to open, widen, prolong, alter, macadamize, grade, level or otherwise make, pave, or permanently repair, any street, road, avenue, boulevard, lane or alley, public way or place, or any section or sections thereof, in the town of Côte Saint Antoine, and to acquire and lay water-pipes therein and construct hydrants thereon, as may be necessary to supply the inhabitants with water and as a protection against fire ; to make, enlarge, prolong or permanently repair any common sewer or drain therein ; to construct or permanently repair such bridge or bridges therein as may be necessary ; to fence in such streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, and to make, carry out and complete such work or works, or any or all of them ; provided that any such by-law is approved by a two thirds' vote of the whole council. But every such by-law involving an estimated expense of over five thousand dollars, except by-laws respecting the construction of drains or sewers and the paving or macadamizing of streets or roads, must be approved by the majority in number and value of the proprietors subject to be assessed for such improvement on an assessment based on the value of lands, irrespective of the buildings, and who at the time fixed actually cast their votes for or against any such by-law, and such votes shall be taken in the manner and subject to the procedure for the approval of loans ; and all corporations and estates, owing land subject to said assessment, shall have the right to vote for or against such by-laws by and through their duly authorized agent or attorney.

Council may, by by-law, raise, by taxation, money for opening, &c., streets, &c., water-pipes and drains, &c., fences, &c.

Proviso.

Approval of certain by-laws.

63. A notice, stating in general terms the purpose of such by-law, shall be inserted for a period of at least ten days, before the passing thereof, in one French and one English daily newspaper published in the city of Montreal.

Notice for such purpose.

64. The council may acquire and lay, or cause to be made or laid, all such water-pipes, hydrants, drains and sewers, and do or cause to be done all such works as may be necessary to that end.

Power to lay water-pipes, &c.

Cost of im-
provements
how paid by
proprietors of
property
along streets,
&c.

65. The cost of making and carrying out any such improvements shall be borne and paid by the owners of real estate, situate on each side of such street, road, avenue, boulevard, lane or alley, public way or place, or any section or sections thereof, by means of a special assessment made, laid or levied upon the said owners of real estate according to the frontage of such properties, when such improvements are made, saving nevertheless the council declaring by resolution, passed by two thirds of the members of the whole council, that the said fronting properties shall be assessed only for a certain proportion or percentage of the cost of any such improvements, in the manner hereinafter set forth.

Payment of
part only by
such proprie-
tors.

66. The council, by a resolution passed by a vote of two thirds at least of all the members of the council, may declare that only a proportion or percentage of the costs of such improvements, or any or all of them, shall be borne and paid for by the properties situated and fronting on the said streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, and in that event the secretary-treasurer shall give special notice, addressed by registered letter through the post office, to each person in whose name any of such fronting properties were last assessed, to his actual or last known domicile, and shall in such notice indicate the nature of the improvement, and the amount or percentage of the cost thereof to be assessed on the fronting properties, within ten days from the passing of such resolution.

Objection to
apportion-
ment.

67. In the event of a petition, objecting to the whole or such proportion or percentage of the costs being assessed on such fronting properties, being presented to the council, within thirty days of the passing of such resolution, signed by the majority of the proprietors, tutors, administrators, guardians, curators, institutes under substitution, trustees and the like, assessed for, possessed of, interested in, or owning such fronting properties on any of the said streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, then the amount or percentage of the costs of any of such improvements to be borne and assessed by such fronting properties shall be determined by arbitration; the arbitrators to be appointed in the manner and according to the procedure herein prescribed for expropriations, as far as can be made applicable, save and except that the petitioners shall be bound to name and appoint, in and by their petition, one arbitrator to act on their joint behalf in the said arbitration.

Arbitration in
such case.

68. The award of the arbitrators, or a majority of them, shall be final and not subject to appeal, and shall form the basis of the assessment to be levied on such fronting properties. Award of arbitrators.

69. If the whole or a proportion or percentage to be assessed on the fronting properties is not diminished by the award of the arbitrators, the cost of the arbitration shall be assessed on the fronting properties, otherwise the cost of the arbitration shall form part of the costs of such improvements. Costs of arbitration.

70. Pending the decision of the arbitrators, the council may proceed with the said improvements or any or all of them. Improvements may proceed during arbitration.

71. The balance or remainder of the costs of all or any of such improvements, over and above the proportion to be borne as aforesaid by the fronting proprietors, shall be borne by the whole town; the said assessment, in all such cases, to be based on the valuation of the lands only, irrespective of the buildings thereon erected. Payment of balance.

72. The council may determine the mode, method and manner in which the said improvements, or all or any of them, are to be made and carried out, and the manner of laying, levying and collecting such special assessment or assessments, making the award of the arbitrators the basis of assessing fronting properties, in the event of their proportion of the costs of any such improvements being diminished as aforesaid. Manner of effecting improvements and levying assessments therefor.

73. Such assessment shall be made, levied and collected at such time or times as may be ordered by the council, and it may order that the costs incurred in making any such improvements be levied and collected at once or by instalments during a certain number of years. Assessment for improvements how made and levied.

Such assessment, if the total costs of the improvements be spread over a certain number of years, may include interest on forborne payments. Interest in certain cases.

74. The secretary-treasurer, as soon as the accounts of the cost of making and carrying out the improvements and all expenses connected therewith shall have been sent in and approved by the council, shall himself, within a delay to be fixed by the council, make a special roll for the assessment and apportionment of the costs of such improvements. Special roll.

75. When the special assessment roll shall have been made, the secretary-treasurer shall give public notice in one Publication of notice that

roll is to be submitted to council.

English and one French daily newspaper, published in the city of Montreal, to be inserted for a period of at least three days, stating the date and hour when such special assessment roll shall be submitted to the council for homologation.

Hearing of objections to roll.

76. The council shall, on the date fixed, hear all parties interested, and may adjourn its meetings from time to time when necessary, and, after examination of any complaints or objections that may be made, may maintain, modify and amend, in their discretion, such assessment roll, but without interfering with the basis of assessment on fronting properties when determined by arbitrators as aforesaid, and may homologate the said roll, with or without amendments, as the case may be; such roll shall then be final and not subject to appeal.

Supplementary assessment in certain cases.

In case the first assessment proves insufficient, the council may make or cause to be made a second in the same manner and so on until sufficient money be realized to pay for such improvements or works.

When assessment becomes due, &c.

77. Such assessment shall be due, exigible and collectable from proprietors in such proportional amounts or instalments as may be fixed by the council, and shall be payable at such time or times as may be ordered by the council, and the secretary-treasurer, when so ordered, shall collect the instalments or amounts from the proprietors in the manner in which municipal taxes are collected.

Privilege of and interest on assessment.

78. The said assessment shall be a privileged debt, exempt from the formality of registration, and shall bear interest at six per cent per annum from the date on which it becomes due, and discounts for prepayments may be allowed.

Council may acquire property for improvements.

79. The council shall have power to purchase, acquire, take and enter into any land, ground or real property whatever within the limits of the town, necessary for the purpose of the improvements, or for any purposes whatever mentioned in this act, either by amicable arrangements entered into between the corporation and the proprietors or other persons interested, or by adopting the provisions and complying with the formalities respecting expropriations herein mentioned.

Act to apply to existing roads, &c.

80. All the provisions of this act shall apply to existing streets, roads, avenues, lanes or alleys, public ways or places, or any section or sections thereof, in the town of Côte Saint Antoine, including those laid out and determined on the plan of the heretofore village of Côte Saint Antoine,

prepared under the provisions of the act 40 Victoria, chapter 39, and duly ratified and confirmed by the Superior Court on the sixteenth day of June, eighteen hundred and eighty, and also to all streets, roads, avenues, boulevards, lanes or alleys, public ways or places, or any section or sections thereof, that may hereafter be opened by the corporation, or laid out and determined on any plan of the municipality that may hereafter be confirmed and ratified by the Superior Court.

81. The powers conferred on the corporation respecting loans shall apply to all the purposes mentioned in this act, and the corporation may, from time to time, contract such loan or loans as may be necessary to pay for the improvements made and carried out under the provisions of this act; but any by-law, authorizing any loan as aforesaid, shall provide, from and out of the revenues of the corporation, an annual tax sufficient for the payment of interest in each year, and one per cent per annum at least of a sinking fund until the debt is extinguished.

Powers respecting loans to apply to purposes of this act and to powers to borrow.

82. No part of the proceeds of any such loan or loans shall be expended for the purpose of such improvements, unless such expenditure shall be authorized by a two thirds' vote of the whole council.

Application of money from loans.

83. The council, when authorized by a two thirds' vote of all its members, may apply the whole or any part of the moneys obtained or to be obtained from the sale of the debentures issued under the provisions of by-law number 16, authorizing the corporation to issue bonds or debentures to the amount of one hundred thousand dollars, for the purpose of making permanent improvements on streets, roads, bridges, squares, parks in the town and for other purposes, and repealing by-law number 6, passed on the fifteenth day of June, eighteen hundred and ninety-one, and unanimously approved by the municipal electors entitled to vote thereon, on the sixteenth day of July, eighteen hundred and ninety-one, and subsequently approved by the Lieutenant-Governor in Council on the sixteenth day of November, eighteen hundred and ninety-one, for any of the purposes mentioned in the section of this act respecting special improvements, and may do so without the intervention or appointment of commissioners.

Application of proceeds of certain debentures.

84. The council may, by by-law, without the appointment or intervention of commissioners, with the object of paying the principal and interest of any debentures issued or to be issued on the credit of the town for the purpose of paying for any improvements respecting the macadamizing

Special tax may be levied to pay such debentures.

of roads already commenced or completed under existing acts or hereafter to be carried out under the provisions of this act, and also for the purpose of paying the principal and interest of the debentures issued under by-law number 16 of the council, by a vote of two thirds of the members of the whole council, impose, levy and collect a special tax or assessment, to be levied according to the frontage of the immoveable property, irrespective of the buildings thereon erected, for the whole or only for such proportion or percentage as it may determine, on the properties fronting on the said improvements, but subject to an arbitration, as prescribed by article 68 of this act when petitioned for by a majority of the fronting proprietors, and may impose the balance or remainder of such special tax or assessment on the whole town,—the said assessment, in all cases, to be based on the value of the lands, irrespective of the buildings thereon erected,—and may regulate the mode, method and manner of laying, levying and collecting such assessments.

Acquisition
of lands, &c.,
to open
streets, &c.

85. The council shall have power to purchase, acquire and enter into any land, ground or real estate whatever, within the limits of the town, for the purpose of opening any streets or roads through the same, or for forming or making any public parks or squares of a nature to conduce to the health and well-being of the inhabitants of the town, either by amicable arrangements entered into between the corporation and the proprietors, or any persons interested, or by complying with the provisions, applicable to the corporation, respecting expropriations, and, in the event of its being necessary or advisable, for the purpose of such improvements, to acquire any larger tract of land or parcel of land than may be ultimately required for the purpose of such improvements.

Sale of lands
not required.

86. The council may sell any portion or portions of the land so acquired and not ultimately required for such purpose, and shall apply the proceeds thereof in part payment for such improvements, and, if a special assessment be levied for the same, the balance of such costs shall alone be assessed for.

Acquisition of
land for cer-
tain purposes,
&c.

87. The council may acquire and purchase any land for the use, and required in the interests of the town, either within or without the limits of the municipality, and may provide for the lease, purchase or erection of any building that the town may require.

Payment of
cost of im-
provements.

88. The council may contribute to the cost of any improvements ordered by it out of the revenues of the cor-

poration, or it may borrow moneys required to pay for such share of any such improvements by complying with the formalities and procedure prescribed respecting loans.

89. Notwithstanding anything in this act contained, all improvements, actually commenced previous to the coming into force of this act, may be continued, carried out and completed under the provisions of the present by-laws and the acts authorizing the same.

Continuation of improvements already commenced.

90. In case of a special assessment for any improvement, the council, if they think fit, may, by by-law or resolution, provide for constructing, at the expense of the general funds of the municipality, such part of the said improvements as is situate upon or in that part of any street, lane, alley, public place or square which is intersected by any other street, lane, alley, public place or square, or as would otherwise fall on property exempt from assessment.

Payment out of general funds of portion of improvements in certain places.

91. The council of the town may, by by-law or resolution, provide an equitable mode of assessment for and improvements ordered or to be ordered for works any services on corner lots, triangular or other irregular shaped pieces of land situate at the intersection or junctions of streets, roads and squares, having due regard to the situation, value and superficial area of such lots as compared with adjoining lots and pieces of land assessable for such works, improvements and services, and may charge the amount of any allowance made on any such lot or pieces of land on the other real property fronting on the improvements, or assume the same as a portion of the corporation or town share of the work or improvements, or otherwise as the council may determine.

Manner of assessing certain property for improvements.

SECTION VIII.

REMEDIES FOR INFORMALITIES.

92. In case there should, at the passing of this act or thereafter, exist any clerical error, omission or informality in any proceedings in expropriation or in the making out of any reports of arbitrators or commissioners, or of any roll of assessments prepared in respect of the costs of any improvements, whether such error, omission or informality be committed by the arbitrators or commissioners, or any of them, or by those who are by law entrusted with such proceedings, the Superior Court or any judge thereof may, upon petition to that effect, permit, in its discretion, the rectification of such error, omission or informality, upon such conditions as to costs as the court or judge may order.

Clerical or other errors not to invalidate proceedings in expropriation.

Publication of
new roll, if old
one annulled.

Laws appli-
cable.

Proviso.

Case of spe-
cial assess-
ment roll
being an-
nulled.

Assessment of
new propri-
etor on new
roll, if old roll
annulled.

Payments on
annulled roll.

Application of
present pro-
visions.

93. When any roll of assessment, or report, made by arbitrators or commissioners, to defray the cost of any improvement, is annulled by competent authority, the town may cause a new report to be made by arbitrators or commissioners appointed as by this act provided; and all the provisions of the law, with respect to the making of any such report or assessment, and to all matters incidental thereto, shall apply to such report or assessment; provided, always, that proceedings for the making of any new report or assessment, or apportionment, shall be commenced within six months from the date of the annulment of the previous report or roll.

94. If any special assessment roll is annulled by competent authority, the secretary-treasurer shall make another special assessment roll for the same purpose, in the manner by law provided, and the same, when completed according to the formalities prescribed, shall have full force and effect.

95. If, for the purpose of any improvement, any immoveable property is charged with any special assessment by any report or special assessment roll, which is subsequently annulled by competent authority, and a new report and special assessment roll is made for the recovery of such special assessment, and, if any change has taken place in the ownership of such property between the date of the first report and the date of the completion of the new special assessment roll, the new proprietor of such immoveable property, upon payment or demand of the amount thereof, shall have the same right *en garantie* against his vendor, in respect of such demand or payment, as if such property had become charged with a valid hypothec for such amount at the date of the homologation of the first mentioned special assessment roll.

96. Whenever a report of arbitrators or commissioners, or special roll of assessment, for any street or other improvement, shall be annulled or set aside, the payments made under the authority of the same shall not be thereby invalidated, but such payments, with interest added, shall go to the discharge of the respective amounts to be fixed by the new report and assessment roll, subject, on the part of the rate-payer, to make good any deficiency or to receive back any surplus according to the difference that may eventually exist between the old and the new reports and assessment rolls.

The present provisions shall apply as well to reports and special assessment rolls heretofore made as to those which may hereafter be made.

SECTION IX.

VALUATION ROLL.

97. The valuers shall annually make, at the time and in the manner ordered by the council, the valuation of the taxable property of the municipality according to the real value. Annual valuation roll and what to contain.

They also make the valuation of the annual value of such property and enter it in the roll in a separate column.

They also enter in the roll the names of tenants and the amount of annual rent paid by each.

The valuers shall, annually, when making the valuation roll, make a valuation of the taxable immoveable property, irrespective of the buildings thereon erected, and enter the same in a separate column; and such valuation shall be the basis on which any special tax ordered to be levied on such valuation shall be made.

98. The valuation roll, in force at the time of the coming into force of this act, shall be the valuation roll of the town until one be drawn up in accordance with this act. Existing valuation roll continued.

99. Town loans, whether by the issue of debentures or otherwise, shall only be made on a by-law of the council to that effect, approved by a majority in number and in real value of the proprietors who are municipal electors, who, at the time fixed, actually cast their votes for or against such by-laws; but, if one hour shall elapse after the opening of the meeting, held for the approval or disapproval of the said by-law, without a demand for a vote, the by-law respecting such loans shall be deemed as approved. How loans are to be effected.

Tutors, administrators, institutes under substitution, trustees and the like, who are seized or possessed of, or interested in any real estate in the town, shall have the right to vote on any by-law of the council, authorizing the contracting of any loan to pay for improvements made in the town, if they possess the other qualifications necessary to be a municipal elector. Right to vote of certain persons.

SECTION X.

TAXES AND THEIR COLLECTION.

100. The council may make by-laws to impose and levy : Council may, by by-law, levy : Assessments on real estate.

1. An assessment on every lot, town lot or portion of a lot, whether built upon or not, with all buildings and erections thereon, not to exceed one cent in the dollar of the actual value of such property, as entered on the assessment roll of the town, for which assessment the owner thereof shall be personally liable ;

Special tax on certain business.

2. A special tax upon resident carters doing business in the town; upon proprietors of horses and vehicles for each horse or vehicle; upon brokers, money-lenders or commission merchants; upon pawn-brokers and auctioneers; upon clubs; upon proprietors or occupants of houses of public entertainment, hotels, saloons, inns, coffee-houses, restaurants, temperance hotels; upon dealers in spirituous liquors; upon peddlars selling or offering for sale in the town articles of commerce of any kind whatsoever; upon proprietors, possessors, agents, managers or occupants of theatres, circuses, menageries and minstrels; upon public places of amusement kept open for profit; upon billiard tables, mississippi or pigeon-hole tables, bowling alleys and other similar games; upon livery stable-keepers; upon grocers, bakers, butchers, hawkers, hucksters, brewers, distillers; upon traders and manufacturers and their agents; upon proprietors and keepers of wood-yards, coal yards and slaughter-houses in the town; upon building societies; upon insurance companies and their agents and employees, whether they reside in the town or not; upon gas, telegraph or telephone and other companies doing business in the town, and generally on all commerce, manufactures, callings, arts, trades and professions which have been or may be introduced or exercised in the said town; and the amount of such annual dues or tax or taxes shall be fixed and determined by one or more by-laws of the town, and shall be fixed and determined by the council in its discretion, either in certain cases by a specified sum or in other cases by a percentage upon the annual value of the property and premises occupied by the said persons in the town, and in or upon which they do business or carry on or exercise such trade, manufacture, occupation, business, art, profession or means of livelihood or profit; provided that in no case shall any of such amounts exceed five hundred dollars per annum, and provided there is nothing inconsistent with any public statute.

Proviso.

Tax when payable.

101. Every tax or assessment, imposed by virtue of the foregoing provisions, shall be payable annually, and at the time fixed by such by-laws; and a discount for prepayment may be allowed.

Discount. Special tax may be levied by license.

102. The council may order that every special tax imposed on trades, business or corporations, in the discretion of the council, be imposed and levied in the form of a license, and thereupon such special tax shall be payable annually, at such time and under such conditions and restrictions as the council may determine.

103. The council may, by by-law, impose and levy, annually, upon every tenant, a special tax not exceeding three cents in the dollar on the amount of the rent. Levy tenants' tax.

104. The council may, by by-law, impose and levy annually, upon every male inhabitant, of the age of twenty-one years and over, resident in the town and not otherwise taxed, a sum not exceeding one dollar. Levy personal taxes.

105. Nothing in this act shall affect the commutation of the ordinary annual municipal taxes payable by the Montreal Amateur Athletic Association, as confirmed by the act 51-52 Victoria, chapter 111, or the exemption from taxation granted to the Montreal Water and Power Company. Certain commutation not to be affected.

SECTION XI.

EXPROPRIATION FOR MUNICIPAL PURPOSES.

106. In matters of expropriation, if the council and the proprietor cannot agree, or if the proprietor is a minor or is not in the enjoyment of his civil rights, the question shall be decided as follows : Proceedings in expropriation :

A notice shall be served by the town or its attorney upon the party to be expropriated containing : Notice by claimant and its contents.

a. A description of the land to be taken ;

b. A declaration that the town offers to pay a certain sum, which is therein mentioned, as an indemnity and compensation ;

c. The name of the arbitrator for the town, in case the offer be not accepted.

This notice must be accompanied by the certificate of a sworn surveyor, not interested in the matter and not being the arbitrator named in the notice, establishing that the expropriation of the land is necessary ; that he knows the land claimed and the damages which might result from the expropriation, and that, in his opinion, the sum offered is a sufficient indemnity. Certificate accompanying same.

107. If, within five days after the service upon him of such notice, the person expropriated does not notify the town that its offers are accepted, or does not give the name of his arbitrator when signifying his refusal, a judge of the Superior Court, upon being petitioned so to do, names the sole arbitrator to determine the amount of the indemnity. Appointment of arbitrator by judge, if adverse party does not answer.

108. If the person expropriated has, within the prescribed delays, given the name of his arbitrator and the amount of indemnity which he claims, then either party may petition a judge of the Superior Court to name a third arbitrator. Petition to have third arbitrator appointed by Superior Court.

- Petition therefor and notice.
Appointment by judge. **109.** This petition shall be in writing and five days' notice of the same shall be given to the opposite party.
After the expiration of such delay of five days, a judge of the Superior Court, upon proof that the above prescribed formalities have been fulfilled, names a third arbitrator, who, with the two already named, proceeds to the arbitration.
- Arbitrators to be sworn. **110.** Before proceeding, the arbitrators shall be sworn, before a justice of the peace for the district of Montreal or the secretary-treasurer of the council, to impartially perform the duties of their office.
- Appointment of secretary and his duties. **111.** At their first meeting, the arbitrators, or sole arbitrator, may name a secretary, whose duties shall be to keep a record of the minutes of all the proceedings, which shall be signed by the arbitrators at the end of each sitting or at the following sitting.
- Emoluments of secretary. **112.** The emoluments of such secretary are fixed by the arbitrators, and shall form part of the costs of the arbitration.
- Hearing of parties, &c. **113.** The arbitrators, in the course of the proceedings, or a majority of them, or the sole arbitrator, may hear the parties, if they deem it necessary, and they shall proceed to the examination of the premises with the object of determining the amount of the indemnity to be awarded.
- When they proceed and after what notice. **114.** The arbitrators shall proceed at the time and place appointed by them, of which they shall have given a special notice of at least five days to the parties interested.
- Manner of giving notice. **115.** The said special notice shall be served in the manner provided for the service of special notices.
- Award how given. **116.** The arbitrators, after having examined and valued the land and heard the parties, shall give their award by means of a certificate, signed by them or by a majority of them, which they deposit in the office of the council; such award is final and without appeal.
- Award final. **117.** No defect of form shall annul the award of the arbitrators, if all the requirements of the law have been fulfilled and if the award determines, clearly and concisely, the amount awarded, and the lands, rights, buildings and other things for which such an amount is an indemnity.
- Formal defects not to annul award. Proviso. **118.** It is not necessary that the person to whom the amount should be paid be named in the award.
- Name of person indemnified not necessary.

119. The arbitrators may decide which party shall pay the costs or a proportion of the costs of the arbitration, and also on the amount of remuneration each arbitrator shall receive, which remuneration shall not exceed ten dollars per day.

Adjudication as to costs and fees of arbitrators.

120. By the payment, or legal tender followed by a deposit in the court, of the amount of indemnity awarded to the party entitled to it, the award gives to the town authority to take immediate possession of the property, and to exercise the rights or effect the purposes for which the indemnity was granted.

Effect of payment or legal tender and deposit of amount of award.

121. If resistance or opposition is offered to the taking possession of the property or to the exercise of such rights, the judge may, upon sufficient proof of the award of the arbitrators, issue his warrant, addressed to the sheriff of the district or to a bailliff, as he may think proper, to put the town in possession, and to put an end to all resistance or opposition.

Resistance to possession and warrant in such case.

122. The judge shall grant such warrant only after a notice of the time and place when the application for the same shall be presented to him has been served five days previously upon the proprietor of the property, or upon the person having the right to pass a deed transferring such expropriated property, or having an interest therein.

When warrant may be granted.

123. If the town has reason to fear hypothecary claims or troubles, or if the proprietor is a minor, it shall be lawful for it to deposit in the hands of the prothonotary of the district, the indemnity and six months interest thereon, together with a copy of the award.

Deposit of indemnity with interest in court, in certain cases.

124. The award is then considered a title to the properties mentioned in it, and proceedings are taken to obtain a confirmation of the title in the same manner as in other cases of confirmation of title.

Effect of award thereafter and proceedings in confirmation of title.

125. The judgment in confirmation of title extinguishes for ever all claims against the property, including unopened dower, as well as all mortgages and charges with which the property may be encumbered.

Effect of confirmation of title.

126. The court shall issue such order for the distribution, payment or investment, of the indemnity, and for securing the rights of all parties interested, which it may consider right, according to justice and equity.

Power of court in distributing money.

127. The costs of the proceedings shall be paid by the party indicated by the court.

Costs by whom to be paid.

Interest may be deducted, if confirmation obtained in less than six months.

128. If the judgment in confirmation is obtained in less than six months from the depositing of the indemnity in the hands of the prothonotary, the court may order that a proportionate amount of interest be paid to the depositing party.

Interest to be added, if afterwards.

If the judgment is obtained only after the six months, the court shall order that such additional sum, as it may deem proper, shall be deposited to pay the amount of interest.

Replacing of arbitrator in certain cases.

129. In case any arbitrator appointed under any of the provisions of this act, or any commissioner appointed previous to the the passing of this act, dies or is disqualified, refuses or is unable to act, the Superior Court, or any one of the judges of the court, as the case may be, shall, upon a summary petition to that effect, to be presented by the town council, replace such arbitrator or commissioner by another competent and disinterested arbitrator or commissioner, upon whom the said office shall be binding, in the same manner as upon his predecessor.

SECTION XII.

MISCELLANEOUS PROVISIONS.

Exemption of certain industries from taxation, &c.

130. The council may, by resolution, exempt from the payment of municipal taxes, for a period not exceeding thirty years, any person who carries on any industry, trade or enterprise whatsoever, as well as the land used for such industry, trade or enterprise, or agree with such person for a fixed sum of money, payable annually, for any period not exceeding thirty years, in commutation of all municipal taxes.

Exemption of the poor from taxation.

131. It may also exempt the poor of the town and their property from the payment of municipal taxes.

Special assessments for water-works, &c.

132. The council may, by by-law, levy and collect special assessments to pay for the establishment, maintenance and management of water-works, public wells, cisterns or reservoirs, in such manner as it may deem fit, subject to the restrictions mentioned in this act respecting special improvements, and may regulate the manner of laying, levying and collecting such special assessments.

Proviso.

Application of the law respecting town corporations.

133. The town is subject to the operation of the act governing town corporations contained in chapter first of title eleventh (articles 4178 and following) of the Revised Statutes of the Province of Quebec, except in so far as any of the provisions of the present act derogate or contain provisions inconsistent with articles 4195, 4227, 4229, 4234, 4235, 4244, 4246, 4260, 4274, 4414, 4450, 4452, 4464, 4478,

4486, 4487, 4498, 4500, 4514, 4529, 4530, 4559 and 4564 to 4569 of the said Statutes, when said articles shall be replaced for the town, as respects the subjects mentioned in the said articles, by articles 12, 15, 16, 17 to 19, 20, 22, 23, 27 to 33, 35, 39, 63 to 91, 97, 98, 99, 100, 106 to 130 and 132 of the present act.

134. This act shall be known as “ The Charter of the Name of act.
Town of Côte Saint Antoine, 1893.”

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

C A P. L V .

An Act respecting the charter of the town of Beauharnois
and its amendments.

[Assented to 27th February, 1893].

WHEREAS it is expedient to amend the above acts and Preamble.
to extend the powers of the corporation of the town
of Beauharnois ; and whereas, by its petition, the said cor-
poration has represented that it is necessary to explain cer-
tain portions of its charter ;

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

1. Subsections 1, 2 and 3 of section 6 of the act 38 Victo- 38 V., c. 77, s.
ria, chapter 77 are repealed, and articles 4211, 4212, 4213, 6, §§ 1, 2 and
4214, 4215, 4217, 4218 and 4219 of the Revised Statutes 3 repealed.
shall apply to the town. R. S., arts.
4211 to 4215
and 4217 to
4219 to apply.

2. No person shall be elected mayor or councillor, nor Qualification
occupy either of these positions, unless : of mayor and
councillors.

1. He is of the male sex, is of the full age of majority and a
subject of Her Majesty ;

2. He can read and write ;

3. He has had his domicile or place of business within
the limits of the town for the year preceding the election ;

4. He has had possession, for at least twelve months, as
proprietor, either in his own name or in the name of his
wife, of immoveable property in the said town of the value
of at least one thousand dollars for the office of mayor,
and four hundred dollars for the office of councillor, over
and above all charges and hypothecs affecting the same.