

Payment only  
on delivery of  
coupons.  
Evidence of  
payment.

No payment of any such coupons can be required of the corporation, unless the same be delivered to it; and the possession of such coupons by it shall be *prima facie* evidence that it has paid the same."

Coming into  
force.

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

## CAP. LI.

An Act to revise and consolidate the charter of the city of Sherbrooke and the several acts amending the same.

[Assented to 24th June, 1892.]

Preamble.

**W**HEREAS it is expedient to revise and consolidate the provisions of the several acts of the Legislature of the Province of Quebec, referring to the corporation of the city of Sherbrooke, and to vest certain powers in the said corporation;

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

## TITLE I.

### INCORPORATION.

Inhabitants  
incorporated.  
Name and  
general  
powers.

**1.** The inhabitants of the city of Sherbrooke and their successors shall be a body corporate, by and under the name of "The City of Sherbrooke," and, as such, shall have perpetual succession and a common seal, with power to renew, alter and modify the same at their pleasure; and shall be capable of suing and of being sued, of pleading and of being impleaded in all courts of law and equity, in all manner of actions, causes, transactions and matters whatsoever, of accepting, taking, purchasing and holding goods and chattels, lands and tenements, real and personal, moveable and immoveable property, and of granting, selling, alienating, assigning, leasing and conveying the same, of entering into and becoming a party to any contracts and agreements, and of making, granting and accepting any bills, notes, bonds or other instruments or securities for the payment, or securing the payment, of any money by or to the corporation, and the performance of any other duty, matter or thing whatsoever in connection with the affairs of the said city.

## TITLE II.

### CITY BOUNDARIES—WARDS.

Boundaries  
and limits of  
city.

**2.** The boundaries and limits of the said city of Sherbrooke shall be those as defined for the town of Sherbrooke,

by proclamation of His Excellency the Governor-General of the late Province of Canada, of date the twenty-eighth day of June, A.D. one thousand eight hundred and fifty-two (1852), and advertized in the Canada Gazette, of date the third day of July, A.D. one thousand eight hundred and fifty-two (1852), to wit: Lots numbers seven, eight, nine and ten in the first range of the township of Orford; the lots numbers sixteen, seventeen and eighteen in the eighth range of the township of Ascot; the lots numbers sixteen, seventeen, eighteen, nineteen, twenty and twenty-one in the seventh range of the said township of Ascot, and the west halves or moieties of the lots sixteen, seventeen, eighteen, nineteen, twenty and twenty-one in the sixth range of lots in the said township of Ascot; and the city shall be bounded, on the south, by the line between the lots numbers fifteen and sixteen, in the sixth, seventh and eighth ranges of the said township of Ascot; on the west, partly by the range line between the eighth and ninth ranges of the said township of Ascot, and partly by the range line between the first and second ranges of the said township of Orford; on the north, partly by the line between the lots numbers six and seven in the first range of the said township of Orford, and partly by the line between lots numbers twenty-one and twenty-two in the sixth and seventh ranges of the said township of Ascot, and on the east by a line to be drawn through the exact centre of the lots sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of the said sixth range of the said township of Ascot.

**3.** The city of Sherbrooke shall be divided into four <sup>Division into</sup>wards, respectively called: "North Ward," "South Ward," <sup>wards.</sup> "East Ward" and "Centre Ward."

The "North Ward" shall comprise all that part of the <sup>North Ward.</sup>city being north of the south bank of the river Magog and west of the west bank of the river St. Francis;

The "South Ward" shall comprise all that part of the <sup>South Ward.</sup>city which lies south of King street, and west of the west bank of the river St. Francis;

The "East Ward" shall comprise all that part of the <sup>East Ward.</sup>city lying east of the west bank of the river St. Francis;

The "Centre Ward" shall comprise all that part of the <sup>Centre Ward.</sup>city which lies north of the "South Ward" but south of the river Magog and west of the river St. Francis.

### TITLE III.

#### THE CITY COUNCIL—MAYOR AND COUNCILLORS.

**4.** The council of the city shall be composed of eleven <sup>Composition</sup>councillors, three elected for the north ward, three for the <sup>of council.</sup>

centre ward, three for the south ward, and two for the east ward.

Election of  
mayor.

The council shall elect one of its members as mayor of the city, as hereinafter provided.

Proviso.

But if it be decided by by-law, passed and approved in accordance with the subsequent provisions of this act, to elect the mayor by the people, the council shall consist of such mayor and eleven councillors elected as aforesaid.

Qualification  
of mayor and  
councillor.

5. No person is capable of being nominated or elected, or of holding the office of mayor, or of municipal councillor, of the city of Sherbrooke, unless he has been a resident in the city for one year next before the election, and unless he be possessed, as owner, in his own name, of real estate in the said city, of the value of one thousand dollars, after payment or deduction of all his just debts, and unless he be a duly qualified elector, at the time of his nomination and election.

Further quali-  
fication.

6. No person is capable of being nominated or elected as mayor, or councillor, who is not a subject of Her Majesty, and of the full age of twenty-one years, or who has been convicted of treason or felony, in any court of law, or who is in Holy Orders, or a minister or teacher of any religious sect, sheriff or coroner of the district, or a judge or clerk of any court, or member of Her Majesty's Privy Council, or the Executive Council of the Province of Quebec, or who has any contract, directly or indirectly, in person or through his partner, clerk or otherwise, with the city for any work or for any goods or property bought or sold, or who is surety for any such contract, or who shall execute work or furnish supplies, directly or indirectly, to or for the said corporation, or who, in any way, is accountable for the city revenue, or is in the employment of the city, or is a keeper of any tavern, hotel, or house of public entertainment, or has acted as such within the preceding twelve months.

Proviso.

Provided, however, that no person shall be held incapable of being elected or acting as mayor or councillor, from the fact of his being a shareholder in any incorporated company, which may have a contract with the city.

Present  
mayor and  
councillors.

7. The mayor and councillors who are in office, when this act comes into force, shall continue in office for the remainder of the term for which they have respectively been elected.

Term of office  
of mayor and  
councillors.  
Of replacing  
mayor or  
councillor.

At all elections held under this act, the mayor shall be elected for one year and the councillors for three years.

This does not apply to cases where the mayor or councillor is elected to replace another..

8. A meeting of the council shall take place within eleven days after the closing of each annual election, which meeting shall be called by the secretary-treasurer, who shall give special notice thereof to the members. Meeting of council after annual election.

At this meeting, (until such time as the mode of electing the mayor by the electors of the city is adopted) the mayor shall be elected by the council, and he shall remain in office until his successor is sworn in. Election of mayor at meeting, and term of office.

At the monthly meetings in February, May, August and November in each year, the council shall elect one of the councillors to act as mayor or pro-mayor, during the ensuing three months, when the mayor may be absent, sick or unable to act ; and the member of the council so elected shall, during such absence, sickness or inability, have and exercise all the powers, authority and privileges vested by law in the mayor. Election of pro-mayor. His powers.

9. The city council may, in the month of July, in any year after this act comes into force, provide by by-law, that in the future the mayor shall be elected by the electors instead of by the council. By-law to provide for election of mayor by electors.

Such by-law, however, can only be passed at a special general session of the council, called for the purpose of considering the same, and must be carried by, at least, eight members of the council voting in favor of it, and before coming into force must be approved by the majority of municipal electors of the city, who shall have voted on the said by-law. Special meeting to be called for that purpose. Majority required. Approval of electors required.

The said vote shall be taken according to the mode and manner provided, under title five of this charter, for the election of the mayor by the popular vote. Manner of voting.

10. When a vacancy occurs in the office of mayor from any cause whatever, the council shall, as soon as possible after such vacancy (so long as the mayor is not elected by the popular vote), elect one of its members to be mayor for the remainder of the period for which the mayor, whose place is to be supplied, was elected to serve ; but, in case the mayor be elected by the popular vote, the vacancy shall be filled according to the mode provided for the election of mayor. Vacancy in office of mayor, how filled.

Whenever a vacancy occurs in the office of councillor, the election of a successor shall be, forthwith, proceeded with on the day fixed by the council, and such election shall be held in the manner prescribed for general elections. Vacancy in office of councillor, how filled.

11. The council may appoint as many committees as it may deem necessary, consisting of such of its members as it may think proper to name, for the transaction of business Committees.

and for the discharge of such duties as may be assigned to them, and may regulate the procedure of such committees.

The mayor shall be *ex-officio* member of all committees.

Mayor mem-  
ber of all.

Statement to  
be prepared  
by com-  
mittees.  
Statement  
of probable  
revenue.

Appropri-  
ation for ex-  
penditure.  
Margin to be  
left.

Margin not to  
be used ex-  
cept on cer-  
tain report.

Secretary-  
treasurer not  
to pay, out of  
reserve fund,  
any warrant  
without it,  
&c.

**12.** As soon as possible after the committees are consti-  
tuted, each committee shall prepare a statement of the  
expenses to be provided for, and the finance committee  
shall further submit a statement of the probable revenue  
for the year ;

The council shall appropriate the amounts which it may  
deem advisable to sanction for the expenses to be provided  
for, leaving a margin of not less than five per cent of its  
estimated revenue.

Such margin shall not be used or applied in any manner,  
except upon a favorable report of the finance committee.

**13.** The secretary-treasurer is forbidden to pay, out of the  
said reserve fund, any money-warrant upon the order of  
any of the members of the council, before the observance  
of the formality prescribed in the preceding article.

He is also forbidden to dispose of any surplus over the  
amount of any appropriation without a special authoriza-  
tion from the council.

By-laws, &c.,  
respecting  
expenditure  
to be sub-  
mitted to  
finance com-  
mittee.

If finance  
committee  
does not re-  
port.

**14.** Every by-law, resolution, motion, or notice of motion,  
respecting any expenditure outside of the appropriation,  
shall, before being finally adopted, be submitted to the  
finance committee, who shall make a report at the next  
regular, special or adjourned meeting of the council.

If the finance committee refuse or neglect to make a  
report, as provided in the two preceding sections, the coun-  
cil may proceed without it.

If mayor or  
councillor has  
ceded the  
property  
upon which  
he qualified,  
he may be  
required to  
produce title  
to other prop-  
erty on which  
to qualify.  
Seat vacant  
in default.

**15.** In case the mayor or any councillor has ceded or  
made over, or no longer remains the owner of the immove-  
able property on which he has qualified himself, or has  
mortgaged or encumbered the same, so as to affect the  
amount required for his qualification, it shall be lawful for  
any two qualified electors to present a petition to the  
council, requiring such mayor or councillor, as the case  
may be, to produce his title to such other immoveable as he  
may qualify upon, and, in default of his doing so within a  
delay fixed by the council, his seat shall become vacant.

Penalty for  
illegally re-  
fusing to ac-  
cept office of  
mayor or  
councillor.

**16.** Any person, appointed to the office of mayor or coun-  
cillor, who illegally refuses to accept such office, or to con-  
tinue to perform the duties thereof, incurs a penalty of fifty  
dollars for the office of mayor, and thirty dollars for the  
office of councillor.

## TITLE IV.

## MUNICIPAL ELECTORS.

**17.** 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 this charter and the general law, 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 city, during the preceding twelve 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 two hundred dollars, or as tenant, lessee, or occupant of real estate of the annual value of, at least, thirty dollars ;

*c.* He must have paid all municipal taxes due by him ; and, in order to vote at any election of mayor or councillor, he must have paid all municipal and school taxes due by him before five of the clock in the afternoon of the Wednesday next preceding the polling day for such election ;

*d.* His name must be entered, either as proprietor, tenant, lessee or occupant on the list of municipal electors ;

*e.* If he own an individual interest or share in real estate, such interest or share must be of the actual value of two hundred dollars ;

*f.* If he be a tenant or occupant of real estate in the city, in common or jointly with others, and his share therein is of the annual value of thirty dollars.

## TITLE V.

## MUNICIPAL ELECTIONS.

**18.** The meeting of the electors of the city for the annual nomination of councillors (and of the mayor if elected by the people) shall be held in the City Hall, or at such other place as may be determined by the city council, on the second Monday in the month of January in each year, at ten of the clock in the forenoon ; and public notice thereof shall be given by the secretary-treasurer.

Meeting for  
annual nomination of coun-  
cillors, &c.,  
when and  
where held.

Notice  
therefor.

**19.** At each annual election after the coming into force of this act, there shall be elected as many councillors as there are retiring members of the council, whose terms will then have expired ; and also a mayor, if the mode of electing the mayor by the electors be adopted.

How many  
councillors to  
be elected.

Mayor also in  
certain event.

Presiding officer.

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

Time for nomination.

**21.** The time for nomination of candidates shall be from the hour of ten to the hour of eleven in the forenoon of the day above stated, unless that day is a non-juridical day, in which case, such nomination shall be held on the next following juridical day between the same hours.

Candidates to be nominated.

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

Ward to be specified.

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

Oath as to persons signing paper.

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

Form of nomination paper.

The nomination paper shall be in the form A in the schedule to the present act.

Declaration of candidates who are nominated.

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

If no more candidates than vacancies, to be declared elected.

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

If more candidates than vacancies, poll to be granted, When and how to be held.

**22.** If there are more candidates duly nominated than vacancies to be filled, the presiding officer shall grant a poll for taking the votes of the electors, which voting shall be by ballot and shall be held in each ward on the Monday following the nomination day, unless such Monday be a non-juridical day, in which case the poll shall be held on the next following juridical day.

Opening and closing of poll.

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

**23.** There shall be one white ballot paper for the candidates for the office of mayor, and one blue ballot paper for the candidates for the office of councillors; the said ballots shall be printed papers, in this act called ballot papers, with an annex, showing the names and descriptions of the candidates, arranged alphabetically, or if there are two or more candidates with the same surname, in the order of their first names.

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

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

The presiding officer shall also furnish to each deputy a sufficient number of ballot papers (all of the same description and as near alike as can be) to supply the number of voters in the polling division and with the necessary material for voters to mark their ballot papers.

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

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

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

The polling stations shall be selected by the presiding officer, and a notice indicating the location of each of such

Color of ballot papers.

Ballot papers to be printed with names, &c.

How names to be printed, &c.  
Form of ballot paper, &c.

Voters' list to be furnished to each deputy-presiding officer;

Also, a ballot box made in a certain way;

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

Ten copies of directions to voters also to be supplied to deputy-presiding officers.

Posting same.

Building in which poll is to be held.

Compartment therein.

Selection of polling stations,

Notice of  
such selec-  
tion.

polling stations shall be posted up in the office of the secretary-treasurer and also in some conspicuous place in each ward, at least three days before the polling day.

Polling sub-  
divisions.

The polling subdivisions shall remain as now made for the Provincial elections, but such subdivisions may be changed by by-law of the council.

Who may re-  
main in room  
at the time of  
voting.

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

Agents with  
written  
authorization.

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

Oath to be  
taken by  
agents and  
representa-  
tives.

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

Oaths to be  
taken by pre-  
siding officers,  
deputies and  
poll clerks.

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

Examination  
and closing  
of box pre-  
vious to pol-  
ling.

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

Electors to be  
thereafter  
called upon  
to vote.

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

One elector  
only to enter  
at a time.

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

Recording of  
voter's name.

Each elector, upon entering, shall declare his name, surname and addition, which shall be entered or recorded by the poll clerk in the poll book provided for that purpose, which shall be kept in the form H in the schedule to this act.

Poll book and  
form thereof.

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

Delivery to him of ballot paper.

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

Oath to be taken by elector, if required.

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

Marking of ballot paper by elector.

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

Handing the same to deputy-presiding officer and deposit thereof by him in ballot box.

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

Assisting voters who cannot vote in ordinary way.

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

Entries in poll book after voter's name.

Mention to be made if ballot paper has been marked by deputy.

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

Voters refusing to take oath.

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

Only one vote in each ward.

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

Vote tendered after vote in same name previously given.

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

Entry of same in poll book.

Spoiled ballot paper.

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

Delay to be avoided.

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

Penalty for taking ballot paper out of polling station.

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

Counting the ballot papers.

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

Ballot papers to be rejected.

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

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

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

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

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

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

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

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

The candidate for the mayoralty, who is found to have a majority of votes in the city, shall then be declared elected as mayor, and the candidates for the office of councillor, who are found to have a majority in their respective wards, shall be declared elected councillors.

Casting vote  
of presiding  
officer.

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

Loss of ballot  
boxes, &c.

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

Manner of  
ascertaining  
number of  
votes given,  
if lists, &c.,  
cannot be  
obtained.

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

Report by  
presiding of-  
ficer indicat-  
ing persons  
elected, to be  
delivered to  
secretary-  
treasurer, and  
books, &c.  
Copies to  
avail as proof.

**40.** The presiding officer shall make his report, indicating the persons elected, without delay, to the secretary-treasurer of the city, and shall deliver to the secretary-treasurer, to form part of the records and property of the city, all books, documents and papers connected with the election and also the ballot boxes.

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

Mention of  
fact of casting  
vote having  
been given.

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

Secrecy at  
voting.

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

Voters not to  
be interfered  
with.

No officer, clerk, agent or other person shall interfere with or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling

place information as to the candidate for whom any voter at such polling place is about to vote, or has voted.

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

No information as to voting to be given.

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

Secrecy at counting.

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

Elector not to show ballot paper, &c.

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

No person to induce voter to show ballot paper.

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

Penalty for violating provisions of this section.

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

No person to state for whom he has voted.

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

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

Conditions of granting order.

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

Hotel bars, &c., to be closed during polling; liquor not to be sold or given during that day.

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

Penalty.

Presiding and deputy-presiding officer to be conservators of the peace.

May swear in special constables.

May cause arrest of persons disturbing peace, &c.

Notification to candidates elected.

Bribery, treating, undue influence, personation to be corrupt practices.

Penalty against persons guilty of corrupt practice.

Meaning of ballot paper.

Person elected for more than one ward to declare for which one he intends to sit.

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

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

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

**46.** Within two days after the closing of the election, the presiding officer shall notify the candidates elected of their election by special notice in writing.

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

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

**48.** The expression "ballot paper" in this act, means a ballot paper for the election of mayor or of councillor, or both, as the case may be.

**49.** If a person be elected to represent more than one ward, he shall declare at the first meeting of the council, for which ward he intends to sit, and thereupon a new election shall be held for the other ward or wards, following the procedure hereinbefore laid down, and the dates therefor shall be fixed by the council at as early a date as possible following such first meeting, as will allow the required notices to be given.

**50.** If a councillor is elected mayor by the rate-payers, his seat shall thereby become vacant, and a new election shall be held for the ward in which such vacancy occurs, as provided for in the foregoing article. Councillor elected mayor.

## TITLE VI.

### CONTESTATION OF ELECTIONS.

**51.** If the election of mayor or any of the councillors be contested, such contestation shall be brought, conducted and decided, in the cases only, within the delays, and according to the provisions of the law respecting town corporations, articles 4275 to 4288, both inclusive, of the Revised Statutes of the Province, and in no other way. Contestation of election, how brought, &c.

If the judgment annuls the election without declaring who should fill the office, the court must order a new election, fix the day for nomination and polling, and appoint a presiding officer. If judgment annuls election.

Such election shall then be proceeded with in the usual manner. Election in such case.

## TITLE VII.

### MEETINGS OF THE COUNCIL.

**52.** The council shall meet regularly once a month, that is to say: on the first Monday of each month, at such hour as shall be fixed by the council. Regular monthly meeting of council.

The council may, by by-law or resolution, establish other regular sessions. Other regular meetings.

**53.** Six members of the council, exclusive of the mayor, shall constitute a quorum for the transaction of business, except for the passing of a by-law changing the present mode of electing the mayor, when eight members of the council, exclusive of the mayor, must be present. Quorum. Exception.

**54.** No member of the council can vote upon or take part in the discussion of any question in which he has any personal interest, different from the common interests of the inhabitants of the city. Members not to vote if interested.

The council shall decide whether the member has any such personal interest, and such member cannot vote on the question of his interest. Council to decide interest.

This section does not apply to the naming of committees, or appointment of mayor. Section not to apply to certain votes.

## TITLE VIII.

## TAXATION.

Council may,  
by by-law, im-  
pose assess-  
ment on:  
Immoveables;

Value of real  
estate for  
such purpose;

Certain  
trades, &c;

Special tax  
on certain  
traders;

Payment  
thereof.

Distress war-  
rant if not  
paid, &c.

Warrant to  
whom addres-  
sed and how  
executed.

Attachment  
of goods for  
payment.  
Tenants;

**55.** The council may, by by-law, impose and levy :

a. An assessment or tax on immoveable property liable to taxation in the city, not to exceed one and one half per cent. of the value of such property as established by the valuation roll.

For the purposes of such taxation, the value of real estate includes the value of all buildings, factories and machine, shops erected thereon, and all improvements made thereto, and machinery and plant which form part of the realty, saving in so far as is provided in the general act in regard to railway companies ; provided, however, that in making their report of the valuation of such real estate, whenever machinery and plant are included, the valuers shall specify how much of the total valuation is intended to represent the value of the said machinery and plant, and the said machinery and plant shall be exempt from municipal taxation ; the above exemption shall not apply to any gas, water, or electric light company ;

b. A tax (to be called a "business tax") on all trades, manufactures, occupations, business, arts, professions or means of profit or livelihood, which now are or may hereafter be carried on, exercised, or in operation by any person or company in the city ; provided that such business tax does not exceed seven and a half per cent. on the annual value of the premises, in which such trades, manufactures, occupations, business, arts, professions or means of profit or livelihood are respectively carried on ;

c. A special tax on all persons who shall come temporarily into the said city, to dispose of any bankrupt or other stock of goods, wares or merchandize, either by auction or at private sale, not to exceed seventy-five dollars ; such tax to be payable forthwith by such person or persons on demand, and if not paid when demanded, the same may be at once collected by distress warrant signed by the mayor or pro-mayor, who may, however, reduce the amount, in any case where the collection of the full amount appears to him to be oppressive.

Such warrant may be addressed to any bailiff and must be executed under his oath of office according to the same rules as applies to writs of execution *de bonis* issued by the Circuit Court.

The said goods may be attached and shall be held for the payment of said tax ;

d. A special tax on every tenant paying rent not to exceed two per cent. of the amount or value of the annual rent ;

e. A special tax on each male inhabitant of the age of <sup>Persons ;</sup> twenty-one years and upwards, who shall have resided in the said city for six months, not being a proprietor, tenant, apprentice, or domestic servant, not to exceed two dollars ;

f. A special tax on every dog kept in the said city not to <sup>Dogs ;</sup> exceed five dollars.

Such tax shall be collectable from the owner, keeper or harborer of such dog, and if the said tax is not paid when legally demanded by a municipal officer entrusted with the collection of said tax, then it shall be lawful for the said council to order the dog upon which the tax has not been paid to be sold or killed or otherwise disposed of as the council may order ;

<sup>From whom  
to be collect-  
ed.  
Proceedings  
if not paid.</sup>

g. A special tax or duty, in the discretion of the council, on the proprietors or keepers of houses of public entertainments, taverns, saloons, restaurants, coffee houses, and eating houses ; on brewers, distillers, wholesale and retail liquor dealers ; on pedlars and itinerant traders selling in the said city articles of commerce of any kind ; on theatres, menageries, circuses, shows and public exhibitions of any kind ; on all places of public amusement kept open for profit ; on billiard tables, pigeon-hole tables, ten-pin alleys and other games, or on the proprietors or keepers of such places of entertainment, amusement and games ; on auctioneers, grocers, bakers, butchers, hawkers, hucksters, carters, livery-stable keepers, traders, manufacturers, lumber-yards, wood-yards, coal yards, slaughter houses, money changers, commission merchants, exchange brokers, pawn-brokers, banks, insurance companies, agents of insurance companies, gas companies, water companies, electric light companies, telegraph and telephone companies ; and, generally, on any commerce, manufacture, business or trade which has been or may be introduced into the said city, and exercised or carried on or followed therein, whether the same be or be not mentioned in this act, and whether they be or be not of the same description or kind as those herein enumerated,—the whole, however, subject to the provisions of the Quebec License Law ;

<sup>Certain deal-  
ers, traders,  
&c. ;</sup>

h. A special tax on cabs, sleighs, busses, carts, waggons, trucks and carriages of any description that may be used for hire and for the conveyance of either passengers, live-stock, goods, wares, merchandize, lumber, building material, ice, and freight of any description, and regulate the same ; on all horses kept in the said city over three years of age, which tax shall be recoverable from the owner, possessor or keeper of such horse or horses ;

<sup>Cabs, sleighs,  
&c. ;</sup>

i. A special tax on persons practising, in the said city, the profession of advocate, physician, surgeon, dentist, land surveyor, notary or other liberal profession, not to exceed twenty dollars ;

<sup>Professional  
men ;</sup>

Income.

*j.* A special tax upon persons resident in the said city who receive therein wages or salary at a rate exceeding five hundred dollars a year, whether the said engagement be by the day, week, month, year or any longer period, or the salary or wages be payable daily, weekly, monthly, yearly, or in any other way, not to exceed one per cent of the excess above five hundred dollars;

Taxation of farming lands.

*k.* Lands used only for farming purposes, whether subdivided into lots or not, within the limits of the city, shall be assessed, on the valuation roll, at its value for farming purposes only, except five acres thereof, with the buildings thereon, which shall be assessed as city property.

Council to decide what are farming lands.

The council shall decide what lands shall be considered farming lands, under this section.

Business tax payable on every establishment carried on by the same person, &amp;c.

**56.** The tax imposed in subsection *b* of section 55 on trades, business or occupation, shall be payable for every establishment of such trade, business or occupation in the city, when it shall be carried on by the same person, firm of persons or company in two or more distinct and separate buildings or places of business.

Collection of tax imposed on partners, &amp;c.

**57.** In the case of any tax imposed on the partner of a firm or company of merchants, in respect of the business of such firm or company, such tax may be claimed and recovered in the manner prescribed for the recovery of assessments or taxes imposed by the council, either against such partner, or against the firm or company of which he is a partner.

Duty of valuers in assessing immoveables. What they are to include.

**58.** In assessing immoveable property, the valuers shall take, as the basis of their assessment, the actual value of such property at the time of making the assessment; they shall moreover specify and include, in the assessment roll, the *bonâ fide* rent of such property, or if they consider that such rent does not represent, or is disproportionate to, the annual value of such property, they shall insert, in the assessment roll, the actual annual value thereof.

Case of joint tenants, &amp;c.

It shall be their duty, in case several tenants occupy a property, to establish the proportion which each such tenant or sub-tenant has to pay, of the total amount of the tax or assessment imposed upon such property.

If property is occupied by owner.

If the property is occupied by, or is in the possession of the owner, they shall determine the rent, according to the amount of which, in their judgment, the property might be rented, or ought to produce, if rented; provided, always, that the council may fix an amount as the basis of valuation, during a given number of years, not to exceed twenty-five years, for the assessments to be levied on property in the city held by any railway company, to be used as work-

shops for the manufacture, on a large scale, of cars, locomotives or machinery.

**59.** Every tax, duty or assessment imposed by virtue of the foregoing provisions, shall be payable annually and at the time fixed by the by-laws. Taxes, &c., payable annually.

**60.** The cadastral number given to immoveable property, upon the official plan and book of reference for the city, shall be a sufficient description of such property in any municipal roll. Cadastral number of immoveable a sufficient description.

Whenever the subdivision of such property has not been duly registered in the registry office in the city, the valuator may value it as a whole, and the assessments may be levied on the whole or any part of such property. If subdivision not registered.

If, on the contrary, a subdivision thereof has been duly registered, each subdivision shall be valued and assessed separately. If registered.

**61.** The taxes authorized under subsections *f*, *g*, and *h* of section 55 of this act may, in the discretion of the council, be imposed and levied in the form of a license, and thereupon such tax shall be payable annually, at such time and under such conditions and restrictions as the council may determine. Certain taxes may be levied by license.

**62.** When any immoveable property within the city is exempt from taxation under this act, or any other law or statute, and is occupied by any person otherwise than in an official capacity connected with the ground of such exemption, the tenant or occupant of such property shall be assessed in respect thereof, to the extent to which such property would have been chargeable if not exempted; but the property itself shall not be liable for such assessment. Taxation of persons occupying property exempt from taxation. Property itself not liable for such taxes.

## TITLE IX.

### COLLECTION OF TAXES.

**63.** Payment of municipal or school taxes may be claimed by an action brought in the name of the corporation, before any court of competent jurisdiction. Municipal or school taxes may be recovered by suit.

Such actions shall be deemed summary matters and tried according to the rules in such cases provided. To be summary matters.

**64.** In all cases in which the assessments or taxes imposed on real estate are two years in arrears, and it is established by a certificate of the bailiff entrusted with a distress warrant or execution *de bonis*, that there is no Sale of real estate upon which arrears of taxes are due for two

years, if debtor has no moveables.

moveable property of the debtor in the city, out of which such taxes and costs can be recovered, the secretary-treasurer may proceed to sell such real estate by observing the following formalities.

List of arrears to be prepared by secretary-treasurer, when and what to contain.

The said secretary-treasurer, before the eighth day of January in each year, shall prepare a list containing the names of all persons indebted for two years of municipal taxes or school taxes as imposed upon immovable property held or occupied, according to the valuation roll, by such persons, adding all other charges against the said real estate which may be then due or payable to the said corporation; a short description, in accordance with article 2468 of the Civil Code, of all lands subject to the payment of said arrears of municipal taxes, or school taxes, or other charges; the total amount of arrears for which the said property is liable for municipal or school taxes or other charges.

Notice of sale to accompany list.

Such list shall be accompanied by a notice setting forth that such lands are to be sold at public auction at the office of the secretary-treasurer of the said council, on the first Monday of March next ensuing, or on the first juridical day following, if such Monday be a legal holiday, at ten of the clock in the forenoon, in default of payment of the taxes and charges for which they are liable, and costs incurred.

Publication of list and notice.

*a.* Such list and the notice which accompanies it must be published in the French and English languages, three times during the month of January, in the Quebec Official Gazette, and in two newspapers, one in French and one in English, published in the said city; and the secretary-treasurer shall, before the fifteenth day of January, apply to the registrar of the registration division for a list of the hypothecary claims upon the lands to be so sold, which list the registrar shall be bound to furnish, with the addresses, as ascertained from his books, immediately, and the expenses thereof shall form part of the costs of sale; and shall notify each hypothecary creditor, by registered letter through the Post Office, at least one month before the day of sale, of such intended sale.

Registrar to give list of hypothecary charges. Notice to be sent to each mortgagee.

Sale by auction.

*b.* At the time appointed for the sale, the secretary-treasurer of the said council, or some other person for him, shall sell to the highest and last bidder therefor, the lands described in said list upon which taxes are still due, after making known the amount to be levied on any such lands including the costs incurred for the sale.

Adjudication.

*c.* Whoever then shall be the last and highest bidder shall become the purchaser of the land thus sold, and the said land shall be at once adjudged to him by the secretary-treasurer or other person who shall sell such land.

d. The purchaser of all lands thus sold shall pay the amount of the purchase price immediately upon the adjudication thereof. Payment of purchase price.

e. In default of immediate payment, the secretary-treasurer shall either at once again put up the land for sale, or shall postpone the sale for eight days, by giving notice of such postponement to all persons present, in an audible and intelligible voice, and by publishing such notice in two newspapers published in the said city, in the French and English languages ; but the purchaser may prevent the resale by paying into the hands of the secretary-treasurer, before the time fixed for the resale, the amount of the purchase money and all additional costs incurred in consequence of the postponement of the sale. Resale in default of immediate payment.

f. If no bid is made, or if all the lands advertized cannot be sold on such first Monday in March, or following day, if such Monday be a legal holiday, as aforesaid, the sale shall be postponed for eight days, and notice thereof given in the manner prescribed in the preceding paragraph. Adjournment of sale in certain cases.

g. Upon payment by the purchaser, other than the corporation hereinafter provided, of the amount of the purchase money, the secretary-treasurer shall immediately execute, in the name of the corporation, a deed of sale and conveyance of the land so sold, to such purchaser, under his signature and the seal of the corporation, and shall deliver a duplicate thereof, to the said purchaser, upon his paying the costs of the deed and the registration thereof ; and the said secretary-treasurer shall immediately cause the same to be registered in the proper registry office. Deed of sale to be given upon payment of purchase price.

The sale shall have the same effect as a sheriff's sale, and the purchaser shall become seized of the property in the lands so sold and of the appurtenances thereof as proprietor, and shall be entitled to take immediate possession thereof. Effect of sale.

h. The corporation of the said city may bid, at the sale of such immoveable property thus put up for sale, and may become the purchaser thereof, through the mayor or other person authorized by the city council, without being held to pay forthwith, the amount of said purchase money ; but in the case of the purchase of any immoveable property by the said corporation, the owner or his representative or any person, on his or her behalf, may, within twelve months after the day of sale and adjudication of the said property, redeem the same by paying to the secretary-treasurer of the said city, the amount of the claims of the said city for which the said property was sold, with all costs of sale, and the subsequent costs, if any, incurred in connection with the carrying out of the provisions of this act, together with the taxes, whether municipal or school taxes, which would have become due and payable prior Corporation may bid, &c. Redemption by owner if corporation purchase.

to such redemption, on said property, in the case of private ownership thereof, as well as any outlay for necessary repairs, or insurance money to protect the said property from loss or damage by fire, together with fifteen per cent on all such moneys, whether taxes, costs, additional taxes, repairs or insurance.

If property  
not redeemed.

Certificate in  
such case.

Statement to  
be contained  
in certificate.

Deposit of  
surplus with  
prothonotary.

Property to be  
sold if not  
required.

If price ex-  
ceeds amount  
due corpora-  
tion, duty of  
secretary-  
treasurer as  
to registrar's  
certificate.

Deposit of  
surplus with  
prothonotary.

If purchase  
made by cor-  
poration, when  
deposit to be  
made.

If no incum-  
brances, certi-  
ficate to that  
effect.

If, within the said period of twelve months, the property has not been redeemed, as provided for in this section, as aforesaid, the corporation remains the irrevocable proprietor thereof, and the certificate of the secretary-treasurer, setting forth the facts, countersigned by the mayor of the said city, shall be registered, and shall *ipso facto* be a valid title to the said property; but the said certificate shall also contain a statement of the amount of surplus money bid by the said corporation for the said property, over and above the claim and costs of the said corporation, on which the said property was sold; which surplus shall be immediately paid over to the prothonotary of the Superior Court for the district, by the secretary-treasurer, with a registrar's certificate, as required by the following subsection of this act, the costs thereof having been first deducted from such surplus; and the said corporation shall pay interest on such surplus from the time of the adjudication until the money is paid over by them.

The corporation shall be bound to sell any such property, within five years, if the same be not required for public purposes:

i. When the price, for which the said land or building lot has been sold, shall exceed the amount due to the corporation for taxes, interest, and costs, the secretary-treasurer shall, as soon as may be, after the adjudication, apply for and obtain from the registrar of the registration division in which such immoveable property is situated, a registrar's certificate of encumbrances existing upon the property so sold; the said certificate, which the said registrar is hereby authorized and required to furnish, shall be, in form and substance, similar to that furnished to the sheriff in cases of sheriff's sale, and immediately upon receiving such certificate, the secretary-treasurer shall deposit the same, together with the surplus money in his hands as aforesaid, first deducting the expenses incurred subsequent to the adjudication, with the prothonotary of the Superior Court for the district of St. Francis, who is authorized and directed to receive the same; but in case the said purchase has been made by or on behalf of the said corporation, then such deposit shall only be made to the said prothonotary, after the expiry of the twelve months allowed for the redemption of the said property.

j. In cases where there are no encumbrances on the property so sold, the registrar shall certify the fact in a

certificate which he shall deliver to the secretary-treasurer, when called upon as aforesaid, and the secretary-treasurer shall immediately deposit such certificate with the prothonotary as aforesaid.

k. When the secretary-treasurer of the said city has deposited with the prothonotary of the Superior Court a certificate and the money, the said prothonotary shall prepare a report of distribution of the said money in accordance with the rights of the claimants thereto, and the proceedings as to the fying of claims and the making, contestation and homologation of the said report, shall be the same as proceedings in ordinary cases in the Superior Court after the return of moneys levied by the sheriff, save that in cases of claims bearing interest, such interest shall be calculated up to the date of the deposit, instead of the date of the adjudication and sale, and the same delays shall apply, and the same notices be given, as in ordinary cases in the Superior Court.

l. If, before the sale of any immoveable property by the secretary-treasurer, the same property be seized by the sheriff, the secretary-treasurer, upon being notified in writing by the plaintiff in the suit, or his attorneys, of such seizure, shall complete his advertisements, but shall not proceed to sell the same, but shall fyle an opposition with the sheriff or prothonotary for the amount of the taxes, interest and costs; but if the sheriff's sale is delayed by opposition or otherwise, the corporation of the city of Sherbrooke may then, after two weeks' notice, given as provided in subsection a, proceed, upon a day to be fixed by such notice, to the sale of the said property.

## TITLE X.

### PUBLICATION OF BY-LAWS AND NOTICES.

65. The publication of public notices for municipal purposes in said city shall be made by one publication in two newspapers published in said city, one in the English language and one in the French language. The publication of such notices shall always be presumed to have been legally made; the burden of proof shall be on the party contesting it.

## TITLE XI.

### POWERS OF THE COUNCIL.

66. The council may make by-laws for the good government, peace, welfare, improvement, cleanliness, health and internal economy of the city, and for the preservation of order therein; for the prevention and suppression of all

acts and proceedings obstructive thereof or disadvantageous thereto ; and without limiting the effect and purview of the authority hereby given, such by-laws may be so made for the following, among other purposes, namely :

Sunday observance ;

1. For the proper observance of Sunday, and to prevent the opening of public places of amusement in the city on that day ;

Sale of intoxicating liquors ;  
Regulating shop-keepers, &c. ;

2. To restrain, regulate or prohibit the sale of intoxicating liquors in the city ;

3. For regulating and governing shop-keepers, tavern-keepers, and other persons selling intoxicating liquors by retail in the city and the places where and the times at which such liquors may be sold, in such manner as the council may deem expedient for the prevention of drunkenness and for the peace and welfare of the inhabitants ;

Sale of goods in streets ;

4. For preventing the sale of any goods, wares or merchandize on the streets or public places of the city ;

Sales of goods brought into city other than on markets ;

5. For preventing persons bringing articles into the city, from selling or exposing them for sale, in any place other than the markets of the city, and for regulating the sale of such articles ;

Games of billiards, &c., on Sundays in hotels, &c. ;  
Sale of bread ;

6. To prohibit games of billiards, pool, Mississippi, pigeon-hole, ten-pins, and other like games, on Sunday in any hotel, club, saloon or place of public resort ;

7. To regulate the inspection, manufacture and sale of bread in the city and the weight and quality thereof, and to prohibit the sale of any bread that is not made according to hygienic principles ;

Licensing, &c., musical saloons ;

8. To license, regulate or prohibit musical saloons or establishments where intoxicating liquors are sold, and wherein instrumental or vocal music is used as a means of attracting customers ; to license or prohibit the use by itinerant players of hand organs or other musical instruments, for pay or in expectation of pay, in any of the streets or public places ; to prohibit the sale or exhibition of any lewd book, picture or other thing of an immoral or scandalous nature, or the performance of any indecent or immoral play or representation ;

Itinerant players of hand organs ;

Sale, &c., of lewd books, &c. ;

Exhibitions, &c. ;

9. To license and regulate the holding of exhibitions of common showmen, shows of every kind, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, minstrels and other like exhibitions ; with power to prohibit any such exhibition if deemed expedient ;

Unhealthy, &c., factories ;

10. To regulate or prohibit the erection, use or working in the city of unhealthy, unwholesome, dangerous and obnoxious factories or establishments, the working of which may endanger public health or safety or become a public nuisance ;

Use of smoke consumers, &c., in steam engines, &c. ;

11. To compel persons owning or using steam engines, steam boilers, factories, chemical works, or other work-

shops, or establishments, to provide the same with necessary apparatus to consume the smoke and gas escaping therefrom, so as to effectually remove and abate any nuisance arising from the working of such establishment;

12. To impose a fine of fifty dollars for the violation of any by-law made under the provisions of the two preceding subsections, and a further fine of ten dollars per day for each and every day the offender shall continue in the violation of such by-law; Penalties for infraction of two preceding paragraphs;

13. To compel the proprietor of any lot of land in the city to fence in or enclose the same, and to regulate the height and quality of every such fence or enclosure; Fencing property;

14. To prohibit the raising, keeping or feeding of pigs in the city, as the council may determine; Keeping pigs, &c.;

15. To authorize the seizure and confiscation of all or any articles of food and effects offered for sale in the city, for or on account of deficiency in measure, weight or quality; Seizure of unwholesome food;

16. To regulate the sale, quality and inspection of milk, and to authorize its seizure and confiscation; Sale of milk;

17. To regulate the sale, by weight or otherwise, of all articles sold or offered for sale, or delivered in the city; Sale of articles by weight;

18. To license private butchers' or hucksters' stalls; Butchers' stalls;

19. To regulate the character of the vehicles in which articles may be exposed for sale on the markets, and the manner in which they shall be located on the markets; to impose a duty on such vehicles and to establish the mode in which such duty shall be collected; Vehicles on markets;

20. To appoint and regulate the duties and powers of inspectors of meat, and to confiscate any meat or other article of food found to be unwholesome; Meat inspectors, &c.;

21. For regulating the width of streets to be opened hereafter in the city, and to increase the width of those already opened. For regulating, fixing and altering the height, level or grade of any street or sidewalk, provided that if any proprietor shall suffer damage by the alteration, after a grade or level has been established, such proprietor shall be paid such damage, the amount of which shall be settled by arbitration; Width of streets, &c.; Grade of streets and sidewalks; Proviso.

22. To regulate the placing of awnings, signs or show-boards; to compel the owners thereof to abate the same and to prevent the defacing of private or other property by the posting of notices or bills thereon; Awnings;

23. To regulate the width of wheel tires of wagons, or drays carrying heavy loads, and to prohibit the use of such vehicles in such streets or sections of streets of the city as the council may see fit; Width of wheel tires of wagons, &c.;

24. To regulate the sewerage of the city; to raise by assessment, on the real estate in the city, any sum of money required to pay for the sewers already constructed, and for such extension of the sewers as the council may decide; Sewerage; Raising money for sewers, &c.;

to make, and to apportion the cost of such sewerage and of the mains necessary for such sewerage in the city generally and on the owners of real property abutting on the streets where such mains or pipes are laid, with the necessary extensions thereof ;

Private  
drains ;

25. To regulate the time when private drains may be made, as also the manner and material in and of which the same may be constructed, the corporation making the same from the line of the street to the common sewer at the cost of the owner of the property ;

Fire depart-  
ment ;

26. To regulate the fire department and to appoint all officers and men necessary for the prevention of accidents by fire, the suppression of fires and the protection of property at fires ; and to provide for the punishment of any person who may interfere with any member of the fire brigade in the execution of his duty, or who may interfere with, impede, obstruct or injure any signal box, or the wires or other apparatus of the fire alarm department ;

Fire escapes  
on hotels, &c. ;

27. To compel proprietors of buildings, occupied as hotels, theatres, manufactories, schools, places of public entertainment and other such buildings, to provide the same with effectual means of escape in case of fire ;

Materials for  
erection of  
buildings ;

28. To regulate the mode to be followed and the materials to be used in the erection or repair of buildings, with a view to security against fire and the safety of the occupants ;

Chimneys ;

29. To regulate the construction, dimensions and height of chimneys and their elevation above the roofs of neighboring houses ;

Steam en-  
gines, dyna-  
mos, &c. ;

30. To regulate the erection, use and employment of steam engines and steam boilers, electric dynamos and other electric machines, and the qualification of persons charged with the working of the same ;

Storage of  
petroleum,  
&c. ;

31. To prohibit, regulate or license the storage of petroleum, coal oil, benzine, naphtha, and other inflammable liquids, and also of explosive substances in the city ;

Sale and use  
of fire-works ;

32. To prohibit or regulate the sale and use of fire-works, fire crackers and all other explosive missiles ;

Storage of  
lumber, &c. ;

33. To compel all persons who desire to store lumber, timber, fire-wood, laths or shingles, in the city, or to work, run or use any saw or planing mill, carpenter or joiner's shop, or other building or establishment wherein wood or other combustible materials are kept, to obtain the previous sanction of the council so to do, and to the place where such wood-yards, mills, shops or other buildings may be located and used ;

Licenses for  
outsiders  
trading in  
city ;

34. To prevent any person residing beyond the city limits, from carrying on his trade within the city, without taking out a license and number for each and every vehicle used in the city, for the purposes of such trade or business,

provided that there be no discrimination against such person ;

35. To authorize the issue and signature of licenses, and to prescribe the manner in which they shall be issued and registered ; Issue of licenses, &c. ;

36. To regulate the cutting of ice for the supply of the city, and to prescribe the localities where such ice may be cut ; Cutting of ice ;

37. To prevent persons from driving in said city during the time the snow is on the ground without having bells attached to the harness or vehicle. Bells to vehicles when snow on the ground ;

67. The council may impose, by any by-law, for each and every infraction of any by-law of the city, either a fine with or without costs or imprisonment ; and if a fine, with or without costs, may provide for imprisonment in default of immediate payment of such fine and costs ; but so that such fine shall not exceed fifty dollars, and such imprisonment shall not be for a period longer than two calendar months ; and where such imprisonment is ordered, in default of payment of the fine, it shall cease on such payment ; and where the infraction of any by-law is continuous, such infraction during each day shall constitute a separate offence. Penalties for infractions of by-laws. Limit of fine. Continuous infractions.

68. The council, in any by-law in which a license is to be granted, may fix and determine, at its discretion, the amount of the fee or tax to be paid for such license. Fee on licenses.

69. Any person contravening any of the provisions of this act or of the city by-laws, the penalty for the infraction whereof is not prescribed in this act or in the said by-laws, shall incur a penalty not exceeding twenty dollars. Penalty in unprovided cases.

70. Every person who shall hinder or prevent or attempt to hinder or prevent any officer of the council in the exercise of any of the powers or in performance of any of the duties incurred or imposed upon him by this act, or by any by-law or order of the said council, shall incur a penalty not exceeding twenty dollars for every such offence. Hindring officer in execution of his duty.

71. All the fines and penalties recovered under the provisions of this act shall be paid into the hands of the secretary-treasurer of the city council and, together with the proceeds of all licenses granted under this act, shall form part of the public funds of the said city, any law to the contrary notwithstanding. Fines to be paid to secretary-treasurer.

All fines and penalties sued for and recovered, in the Magistrates' Court in the said city of Sherbrooke (save and except for the infraction of laws relating to the sale of Penalties recovered before Magistrates' Court.

liquors), under and by virtue of this act and under the summary convictions act, shall belong to and form part of the general funds of the said city of Sherbrooke and shall be paid over to the secretary-treasurer of the said city council.

Encroach-  
ments on  
streets, &c.

**72.** It shall be lawful for the said city council to order the inspector of the said city to notify any parties who shall have made or shall hereafter make encroachments upon the streets or public squares of the city, by means of houses, fences, buildings or obstructions of any kind, to cause the removal of such encroachments or obstructions, by giving to such persons a reasonable delay for the purpose, which delay shall be specified by the said city inspector in giving his notice, and if such persons shall not have removed such encroachments or obstructions within the delays specified, the said corporation may itself remove the same and shall recover the sum expended from the person in default.

Penalty for  
granting cer-  
tificate or  
receipt show-  
ing less rent  
than that  
paid; &c.

**73.** From and after the passing of this act, every proprietor or agent who shall wilfully grant a certificate or receipt, setting forth a less sum than the rent really paid or payable for the premises mentioned or referred to, and every tenant who shall present to the assessors of the said city such a receipt or certificate falsely representing the value of the rent paid by such tenant, in order to procure a diminution or abatement of his assessment, or who shall, directly or indirectly, deceive the said assessors as to the amount of such rent, shall be liable, on conviction thereof, before the mayor or a justice of the peace, to a penalty of twenty dollars or less with costs, and in default of payment to imprisonment during one calendar month or less, according to the judgment of such mayor or justice of the peace.

Power to pur-  
chase prop-  
erty for city  
purposes, &c.

**74.** The said council shall have full and unlimited power to purchase and acquire, out of the funds of the said city, all such lots, land and real property whatsoever within the said city, as they shall deem necessary for the opening or enlargement of any street, public square, park, or market place, or for the erection thereon of a public building, or generally for any object of public utility of whatsoever nature.

Land so ac-  
quired vested  
in city.

The land so acquired, and the land occupied by the streets, squares, parks, and public places of the city, is vested in the city corporation; and, when no longer needed for the purposes for which they have been acquired, may be sold or otherwise alienated.

To be sold  
when no  
longer need-  
ed.

**75.** The council may always, upon a favorable report of the finance committee, make by-laws to authorize the issue of debentures to renew or redeem, on advantageous conditions, any debentures of the city legally outstanding, without the formality of submitting such by-laws for the approval of the electors.

Redemption of debentures.

**76.** All notes, bills, bonds and obligations of the city shall be signed by the mayor and secretary-treasurer, except that upon the coupons, their signatures may be printed or lithographed.

Certain signatures to notes, &c., may be printed or lithographed.

**77.** The council shall have the power, in its discretion, to grant or refuse any application for a certificate to enable the applicant to obtain a license to sell intoxicating liquors in the city.

Application for certificates for licenses to sell intoxicating liquors.

**78.** The city may make, construct and maintain, in and beyond the city, for a distance of thirty miles, water-works, together with all appurtenances and accessories necessary to introduce and convey throughout the city and adjacent parts, a sufficient quantity of good and wholesome water for the requirements of the city, and to construct and maintain all buildings and works in connection therewith.

Water-works.

For the said purpose, the city may acquire and hold any land, servitude or usufruct, either in the city or within a limit of thirty miles from the city limits, and may acquire such lands by expropriation, if necessary.

Power to acquire land, &c., for said purpose.

**79.** The said city may also make, construct and maintain any gas or electric light works and plant for the lighting of the said city and adjacent parts.

Gas or electric light works.

**80.** The city may also purchase any water-works, gas or electric light works and plant already existing in the said city or which may be constructed therein hereafter.

Purchase of water-works, gas or electric light works.

## TITLE XII.

### MISCELLANEOUS.

**81.** The by-laws of the council shall be held and taken to be public laws in the city, and, as such, be judicially taken notice of by all judges and other persons whomsoever, without being specially pleaded.

By-laws to be public laws and as such to be judicially noticed.

**82.** The council may suspend or revoke any license granted under any of the provisions of this act, owing to misconduct, incompetency or violation of any by-law on the part of the person holding such license.

Council may suspend or revoke licenses.

Who may  
serve and post  
up notices, &c.

**83.** The secretary-treasurer, the assistant-secretary or any bailiff of the Superior Court may serve and post up any notification required by this or the general act and make a return thereof under his oath of office.

Notice of ac-  
tion to be  
given in suits  
for damages

Deposit  
costs if plain-  
tiff not a rate-  
payer.

**84.** No suit for damages arising from any offence, quasi-offence, illegalities or neglect, shall be taken against the city corporation, without thirty days' notice of such suit being given in writing to the secretary-treasurer; and, if the suit is taken in the name of a person who is not a rate-payer, he must deposit ten dollars with the clerk of the court on the issue of the summons to guarantee the costs of the city.

R. S. Q., art.  
4178 to 4615  
to apply  
when not  
inconsistent  
with this act.

**85.** The law respecting town corporations, being articles 4178 to 4615, inclusive, of the Revised Statutes of the Province of Quebec, apply to the city of Sherbrooke, in so far as they are not inconsistent with the express provisions of this act; and the powers therein conferred on the city, the council and its officers are to be considered as supplementary to those herein given.

Certain arti-  
cles not to  
apply.

The following articles of the said Revised Statutes do not apply to the city of Sherbrooke, viz: 4194, 4195, 4202, 4216, 4227, 4229, 4232, 4234, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4555.

Appeal from  
certain deci-  
sions of coun-  
cil.  
Delays on  
and procedure  
in such ap-  
peals.

**86.** An appeal shall lie to the Superior Court from any decision or judgment of the council with reference to any valuation roll, *procès-verbal* or voters' list.

Such appeal shall be prosecuted within the delays, in the manner and subject to the provisions laid down in the said law, regarding appeals to the said court.

Acts re-  
pealed.  
Saving  
clause.

**87.** 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 rights accrued, any matter or thing done or required to be done, contracts, agreements, appointments, 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 assessments; but such matters and things, debentures, promissory notes, obligations, by-laws and rolls of assessment or valuation and the sinking funds 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 or proceedings, debentures, promissory notes, contracts, agreements, appointments, obligations, by-laws and rolls of assessment or valuation shall be regulated and controlled by this act.

88. No by-law to grant aid in any form to any manufac-<sup>By-laws</sup>  
turing, commercial or industrial establishment, or to grant<sup>granting aid</sup>  
exemption from taxation thereto shall come into force until<sup>or exemption</sup>  
it is approved by the majority in number and in value of<sup>from taxation</sup>  
real estate owners in the city who have voted on such by-<sup>require ap-</sup>  
law.<sup>proval of real</sup>  
<sup>estate owners.</sup>

89. This act shall come into force on the day of its<sup>Coming into</sup>  
sanction.<sup>force.</sup>

## SCHEDULE A.

### NOMINATION PAPER.

We, the undersigned, electors of the                      ward, in  
the city of Sherbrooke, hereby nominate                      (*names,*  
*residences and additions of person or persons nominated*) as a  
candidate (or candidates) at the election now about to be  
held for the election of mayor or of municipal councillor in  
the                      ward of the said city.

Witness our hands, at the city of Sherbrooke, this  
day of                      18

Signed by the said electors in the }  
presence of                      }

I,                      of the city of Sherbrooke, being duly sworn,  
do depose and say :

I am one of the subscribing witnesses to the foregoing  
nomination paper.

I personally know the signers of said paper and know  
that they are duly registered in the voters' list as electors  
for the                      ward, of said city, and that they severally  
signed the said nomination paper in my presence.

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

(Signature).

Justice of the Peace.

## SCHEDULE B.

## BALLOT PAPER.

## WARD OF THE CITY OF SHERBROOKE.

1	DOE. John Doe, of the city of Sherbrooke, Grocer.	
2	ROE. Richard Roe, of the city of Sherbrooke, Baker.	X
3	STILES. Geoffrey Stiles, of the city of Sherbrooke, Butcher.	
4	STILES. John Stiles, of the city of Sherbrooke, Advocate.	

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

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

The elector is supposed to have marked his ballot paper in favor of Richard Roe.

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

## SCHEDULE C.

## DIRECTIONS FOR THE GUIDANCE OF ELECTORS IN VOTING.

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

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

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

The voter shall then forthwith quit the polling station.

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

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

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

## SCHEDULE D.

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

I, the undersigned, G. H., agent for (or elector representing) J. K., one of the candidates at the election now pending for the ward of the city of Sherbrooke, solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I will keep secret the names of the candidates for whom any of the voters at the polling station in the said ward marks his ballot paper in my presence at this election. So help me God.

(Signature)

G. H.

Sworn (or affirmed) before  
me, at the city of Sher-  
brooke, this day of  
18

(Signature)

A. B.,

Deputy-presiding officer.

or C. D.,

Justice of the Peace.

## SCHEDULE E.

## OATH OF THE PRESIDING OFFICER.

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

(Signature) A. B.,  
Presiding officer.

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this }  
day of 18 }

(Signature) D. C.,  
Justice of the Peace.

## SCHEDULE F.

## OATH OF DEPUTY-PRESIDING OFFICER.

I, the undersigned, G. H., appointed one of the deputy-presiding officers for the ward of the city of Sherbrooke, solemnly swear (*or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I will act faithfully in my said capacity of deputy-presiding officer without partiality, fear, favour or affection. So help me God.

(Signature) G. H.,  
Deputy-presiding officer.

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this }  
day of 18 }

(Signature) C. D.,  
Justice of the Peace.

or A. B.,  
Presiding officer.

## SCHEDULE G.

## OATH OF POLL CLERK.

I, the undersigned, I. J., appointed poll clerk for the poll number            in the            ward of the city of Sherbrooke, do solemnly swear, (*or, if he is one of the persons permitted by law to affirm in civil cases*, do solemnly affirm) that I will act faithfully in my capacity of poll clerk, and also in that of deputy-presiding officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

(Signature) I. J.,  
Poll Clerk.

Sworn (*or affirmed*) before me, at }  
the city of Sherbrooke, this }  
day of            18            }

(Signature) C. D.,  
Justice of the Peace.

or G. H.,  
Deputy-presiding officer.

---

## SCHEDULE H.

FORM OF POLL BOOK.

	Number of voters.
	Names of the voters.
	Addition or occupation.
	Place of residence.
	Owner or tenant or other qualification.
	Objections.
	Sworn or affirmed.
	Voters refusing to be sworn or affirmed.
	Voters voting after others have voted in their names.
	Remarks.

## SCHEDULE I.

FORM OF OATH OF QUALIFICATION OF A PERSON WHOSE  
NAME IS REGISTERED AS A VOTER ON THE LIST  
OF VOTERS.

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

1. That I am the person named or purporting to be named by the name of \_\_\_\_\_ (*and if there are more persons than one of the same name on the said list, inserting also his addition or occupation*) on the list of voters for the ward of the city of Sherbrooke ;
2. That I am a British subject by birth (or naturalization, as the case may be) and that I am of the full age of twenty-one years ;
3. That I have not voted before, at this election, in the said ward ;
4. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team, or for any other services, connected therewith ;
5. That I have not directly, or indirectly, paid or promised anything to any person either to induce him to vote, or to refrain from voting at this election. So help me God.

## SCHEDULE K.

OATH OF ASSISTANT OF THE PRESIDING OFFICER.

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

(Signature)

A. B.

## SCHEDULE L.

## OATH OF MAYOR OR COUNCILLOR.

I, A. B., having been elected mayor (*or councillor, as the case may be*) for the city of Sherbrooke, do swear that I will faithfully fulfil the duties of the said office according to the best of my judgment and ability ; that I am seized and possessed, for my own use, of immoveable property in the city, of the value, after the payment or deduction of all mortgages or charges thereon, of one thousand dollars, and that I have not fraudulently or collusively obtained the same, or a title to the same, for the purpose of qualifying myself for said office. So help me God.

(Signature)

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this  
day of                      A. D. 18    }

## SCHEDULE M.

## OATH OF AUDITOR.

I, A. B., having been appointed to the office of auditor of the city of Sherbrooke, do swear (*or affirm, as the case may be*) that I will faithfully perform the duties thereof, according to the best of my judgment and ability ; and I do swear (*or affirm, as the case may be*) that I have not, directly or indirectly, any share or interest whatever in any contract or engagement with, by, or on behalf of the said city. So help me God.

(Signature)

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this  
day of                      A. D.    }