

If sheriff also
advertize same
immoveable
for sale.

53. If an immoveable described in the list published under the provisions of this act is announced to be sold by the sheriff, the secretary-treasurer cannot sell such immoveable.

Council may
sell for taxes,
&c., already
due, etc.

54. The right and power of the council to cause immoveables to be sold as above set forth, exists not only as regards taxes which may hereafter become due, but also the recovery of arrears of municipal taxes and rates due and exigible before the sanction of this act.

Tariff of fees,
&c., until
council fixes
tariff.

55. Until such time as the council has made a tariff for the costs occasioned by such sales, such costs shall be one dollar and fifty cents, in addition to the cost of advertisement and notice, for the sale of each immoveable, one dollar for the deed of redemption, one dollar for the deed of sale, and two dollars for the report of distribution.

How sales of
moveables and
immoveables
to be stopped.

56. Seizures or sales of moveables or immoveables under this act can be suspended and stopped only upon an order of a judge of the Superior Court, given on a petition, presented in chambers, accompanied by a declaration under oath and *prima facie* proof that the allegations of the petition are well founded and justify the suspension of such seizures and sales.

Service of pe-
tition.

The said petition shall be served upon the corporation at least two days before being presented to the judge.

Proceedings
summary and
without ap-
peal.

The proceedings on such petitions are summary.

There is no appeal from the judgment.

Coming into
force.

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

CAP. LXXXIII.

An Act to amend the acts relating to the corporation of the Town of Côte Saint-Antoine.

[Assented to 30th December, 1890.]

Preamble.

WHEREAS it is expedient to revise and amend the provisions of the several acts of the Legislature of Quebec, relating to the Town of Côte Saint-Antoine 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 :

53 V., c. 76, s.
1, replaced.

1. Article 1 of the act 53 Victoria, chapter 76, is replaced by the following :

“ 1. The inhabitants of the Town of Côte Saint-Antoine, ^{Inhabitants incorporated.} as hereinafter described, and their successors, inhabitants of the same, shall be a body corporate in fact and in name by and under the name of the “ Town of Côte Saint-Antoine. ^{Name.}”

The Town of Côte Saint-Antoine shall comprise the ^{Boundaries of town.} tract of land situated within the boundaries shown on the plan of the municipality of the Village of Côte Saint-Antoine, made under the provisions of the act 40 Victoria, chapter 39, as confirmed and ratified by the Superior Court, on the sixteenth day of June, eighteen hundred and eighty.

The Town of Côte Saint-Antoine is subject to the law ^{Laws governing town.} governing town corporations, contained in chapter 1 of title XI of the Revised Statutes of the Province of Quebec, respecting town corporations, with the exception of articles 4194, 4195, 4231, 4234, 4238, 4241, 4244, 4245, 4246, 4247, 4248, 4414, 4452, 4529, 4530, 4536, which shall only apply to the Town of Côte Saint Antoine, as hereinafter provided, and of articles 4486, 4487 and 4565, when expressly excepted as hereinafter mentioned.”

2. Article 2 of said act 53 Victoria, chapter 76, is ^{53 V., c. 76, s. 2, replaced.} replaced by the following :

“ 2. The said Town of Côte Saint-Antoine succeeds to all ^{Town to succeed to all rights, &c., of village.} the rights and obligations of the Village of Côte Saint-Antoine.

Until the first session of the new council of the Town of Côte Saint Antoine, as hereinafter provided, the council of the Village of Côte Saint-Antoine shall be the council thereof, and the officers of the said village shall be the officers of the said town until removed or replaced by the council.” ^{Council of village to be council of town until first session of new council.}

3. The last paragraph of article 5, of said last named ^{53 V., c. 76, s. 5, last clause, replaced.} act, is replaced by the following :

“ The valuation roll in force on the first of January last shall remain in force until a new valuation roll shall be made, and the valuation roll in force, at the time of the first general election of councillors, shall be the proof of ^{Valuation roll in force on 1st January, 1890, to be roll until new one made, &c.} the qualifications of electors.”

4. The following paragraphs are added after paragraph 11 of article 13, of the act 53 Victoria, chapter 76. ^{Paragraphs added to 53 V., c. 76, s. 13.}

“ 12 To determine the direction of natural water ^{Determine direction of natural water courses, &c.} courses passing through private property and to regulate all matters concerning the same, whether covered or not ;

“ 13. To impose an annual sum or tax upon any dog ^{Impose taxes upon dogs, &c.} kept by any person residing in the town, not exceeding three dollars, exigible from the owner or person harbouring the animal ;

Compel filling up of grounds, &c.

“ 14. For compelling or regulating the filling up, draining, clearing, altering, relaying or repairing of any grounds, yards, vacant lots, cellars, private drains, sinks, cesspools and privies, and for assessing the owners or occupants of such grounds or yards or of the real estate on which the cellars, private drains, sinks, cesspools and privies are situated, with the cost thereof, if done by the council on their default ;

Make regulations respecting sewerage, &c.

“ 15. For making any other regulations for sewerage or drainage that may be deemed necessary for sanitary purposes ;

Council may levy :
Assessments on town lots ;

“ 16. The council may make by-laws to impose and levy :
a. An assessment on every lot, town lot or portion of lot, whether built upon or not, with all buildings and erections thereon, not to exceed one cent in the dollar of the actual value of such property as shewn in the assessment roll of the town, for which assessment the owner thereof shall be personally liable ;

Special tax on trades, professions and callings, &c.

b. A special tax upon resident carters doing business in the town, upon proprietors of horses and vehicles for each horse or vehicle, upon brokers, money lenders or commission merchants, upon pawn-brokers and auctioneers, upon clubs, upon proprietors or occupants of houses of public entertainment, hotels, saloons, inns, coffee-houses, restaurants, temperance hotels, and upon all dealers in spirituous liquors, and upon all pedlars, selling or offering for sale in the town articles of commerce of any kind whatsoever, and upon all proprietors, possessors, agents, managers or occupants of theatres, circuses, menageries and minstrels, and upon all public places of amusement kept open for profit, upon billiard-tables, mississippi or pigeon-hole tables, bowling alleys and other similar games, upon all livery-stable keepers and upon all grocers, bakers, butchers, hawkers, hucksters, brewers, distillers, and upon all traders and manufacturers and their agents, and upon all proprietors and keepers of wood yards, coal yards and slaughter houses in the town, and upon all building societies, and upon all insurance companies and their agents and employees, whether they reside in the town or not, and upon all gas, telegraph or telephone companies doing business in the town, and generally on all commerce, manufactures, callings, arts, trades and professions which have been or may be introduced or exercised in the said town,—and the amount of such annual dues or tax or taxes shall be fixed and determined by one or more by-laws of the town and shall be fixed and determined by the council at its discretion, either, in certain cases, by a specified sum or, in other cases, by a percentage upon the annual value of the property and premises occupied by the said parties in the town, and in or upon which they do business or carry on

How fixed.

or exercise such trade, manufacture, occupation, trade, business, art, profession or means of livelihood or profit ; provided that in no case shall any of such amounts exceed two hundred dollars per annum, and provided there is nothing inconsistent with any public statute. Proviso,

“ 17. Every tax or assessment, imposed by virtue of the foregoing provisions, shall be payable annually and at the time fixed by such by-laws.” Taxes, &c., to be paid annually.

5. Notwithstanding the provisions of any article of the general act or of the provisions of the act 53 Victoria, chapter 76, tutors, administrators, curators, institutes under substitutions, and trustees, as are seized, possessed or interested in any real estate in the town, shall have the right to vote on any by-law of the council authorizing the contracting of any loan to pay for improvements made in the town. Tutors, &c., may vote on by-laws authorizing the contracting of loans, &c., notwithstanding provision of law.

6. Article 4478 of the general act is replaced by the following : R. S. Q. art. 4478 replaced for town.

“ 4478. To cause trees to be planted along the roads belonging to trustees of turnpike roads or along the municipal or other roads or along sidewalks or public places, either at the expense of the persons appointed to maintain such roads or sidewalks, or at the expense of the corporation.” Cause planting of ornamental and shade trees along streets, roads, &c. At whose expense.

7. Section 17 of the act 48 Victoria, chapter 73, is replaced by the following : 48 V., c. 73, s. 17, replaced.

“ 17. When a special assessment roll shall have been made, the secretary-treasurer shall give special notice addressed, through the post office, to each person in whose name any property to be assessed under such roll was lastly assessed, to his actual or last known domicile, and shall, in such notice, indicate the total cost of the improvement and the amount or rateable proportion to be paid by such proprietor, and notice therein shall be, at the same time, given of the day and hour when such special assessment roll shall be submitted to the council for homologation.” Notice to be given of preparation of special assessment roll and of day and hour when to be submitted to council for homologation.

8. Section 9 of the act 48 Victoria, chapter 73, as amended by the act 53 Victoria, chapter 76, article 25, is replaced by the following : 48 V., c. 73, s. 9, and 53 V., c. 76, s. 25, replaced.

“ 9. In the event of the council by a resolution declaring that any such improvement or improvements are more than local and that a proportional part of the cost thereof should be borne and paid for by the properties interested in and benefited by such improvement, other than the properties situated and fronting on the said street, road, If council decides that improvement is more than local,

Petition to be presented to Superior Court for appointment of commissioners.

Notice of such petition.

Replacing of commissioner dying or refusing to act, &c.

Town may annex itself to city of Montreal under 52 V., c. 79.

By-laws respecting plumbing, drains and soil pipes, &c.

53 V., c. 76, s. 44, amended.

Coming into force.

avenue, boulevard, lane or alley, public way or place, or section or sections thereof, it may, by a petition to be addressed to any of the judges of the Superior Court, at Montreal, cause to be appointed three competent disinterested commissioners; but public notice shall be given in the ordinary manner, by the secretary-treasurer, at least ten days before the presentation of such petition, and the secretary-treasurer shall also give special notice addressed through the post-office to each person in whose name any immoveable property required for the purpose mentioned in such by-law was lastly assessed, to his actual or last known domicile, at least ten days before the presentation of such petition, and such notice shall mention the day, hour and place when such petition shall be presented.

In case any one of the commissioners dies or is disqualified, refuses or is unable to act, the said court or one of the judges thereof, as the case may be, shall, upon a summary petition to that effect to be presented by the town council, replace such commissioner by another competent and disinterested person, upon whom the said office shall be binding in the same manner as upon his predecessor."

9. The municipality of the Town of Côte Saint Antoine may annex itself to the City of Montreal, and the annexation may be effected in the manner prescribed by the charter of the City of Montreal, 52 Victoria, chapter 79.

10. The council of the town may promulgate any by-law to control and regulate the plumbing and construction of drains or soil pipes in the houses and buildings in the town.

11. Article 44 of the act 53 Victoria, chapter 76, is amended by striking out the figure 3, at the end thereof, and inserting in lieu thereof " 111."

12. This act shall come into force on the day of its anction.

C A P . L X X X I V .

An Act to incorporate the town of Aylmer.

[Assented to 30th December, 1890.]

Preamble.

WHEREAS the provisions of the Municipal Code of the Province of Quebec do not meet the present wants of the corporation of the village of Aylmer, and it has become necessary to make more ample provision for the management of the said village; whereas the inhabitants