

that I will faithfully fulfil the duties of councillor, according to the best of my judgment and ability : So help me God.

C

OATH OF AUDITOR, &C.

We,
having been duly appointed (auditors, valuers and inspectors *as the case may be*) of the town of Aylmer, make oath, each of us for himself, that we will well and faithfully discharge the duties of our office, according to the best of our judgment and ability : So help us God.

D

OATH OF DEPUTY PRESIDING OFFICER.

I the undersigned
appointed deputy presiding officer for the voting subdivision ward No. of the town of Aylmer, solemnly swear that I will act faithfully in my capacity, without partiality, fear, favor, or affection : So help me God.

E

OATH OF POLL CLERK.

I, the undersigned,
appointed poll clerk, for the voting subdivision of ward No. in the town of Aylmer, swear, that I will act in such capacity faithfully and without partiality fear, favor or affection : So help me God.

CAP. LXXXV.

An Act to incorporate the town of Waterloo for school and municipal matters.

[Assented to 30th December, 1890.]

Preamble.

WHEREAS the provisions of the Municipal Code no longer meet the requirements of the inhabitants of the village of Waterloo and, for the management of its municipal and educational affairs, more ample provisions have become necessary ; and whereas the inhabitants of the said village desire to be incorporated as a town and have a special act of incorporation ; Therefore, Her Majesty, by

and with the advice and consent of the Legislature of Quebec, enacts as follows :

PART I.

CORPORATE MUNICIPAL ORGANIZATION.

1. The inhabitants of the village of Waterloo, within the limits hereinafter described, and their successors, ^{Inhabitants incorporated.} are hereby constituted a body politic and corporate, under the name of "The Corporation of the Town of Waterloo." ^{Name.}

2. The said town shall continue to form part of the county of Shefford for municipal purposes, until by ^{To form part of county of Shefford for municipal purposes until separated by law, &c.} law of the council of the town it enacts to become separated therefrom, and during the time of its connection therewith, the mayor of the town shall be a member of the county council of the county of Shefford with the same powers and attributes as attach to a mayor of a village council in such county council.

It shall continue to be the *chef-lieu* of the county of ^{*Chef-lieu* of county.} Shefford.

3. The Town Corporations Act, chapters first and second of Title XI of the Revised Statutes of the Province of Quebec, shall apply to the said town, except in so far as this act may derogate therefrom or may contain provisions inconsistent therewith. ^{Laws governing.}

References to articles or sections hereinafter in this act shall mean the articles or sections of the said Revised Statutes, quoted in figures, unless otherwise declared. ^{References to articles.}

TEMPORARY PROVISIONS.

4. The by-laws, orders, rolls and other municipal acts of the village of Waterloo, in force when this act is passed, shall remain in force until repealed or amended by the council of the town of Waterloo. ^{Present by-laws, &c., of village continued in force.}

5. The mayor, councillors and municipal officers of the village of Waterloo shall remain in office, until replaced in virtue of this act, and continue to perform their duties as if elected or appointed under this act. ^{Present municipal officers continued in office.}

6. The taxes due or to become due within the territorial limits of the said town, for either municipal or school purposes, before the first general election of any of the corporations created by this act, shall form part of the assets of the corporation of the village of Waterloo or of the respective school corporations therein, as the case may be, and shall be collected by the officers of such ^{Taxes due, &c., to form part of assets of town, &c.}

corporations to whom the same may belong, save that after such general elections for the said town corporation and their organization with the statutory officers for each of them, the town council may, by resolution, or the said school corporations, or either of them, may, by resolution, order that such taxes be collected in its town corporate name, and by its officers.

Corporation of town to succeed to that of village, &c.

7. The said corporation of the town of Waterloo shall succeed to and be substituted in all the engagements, rights, debts, assets, liabilities and obligations of the corporation of the village of Waterloo.

LIMITS OF THE TOWN.

Limits of town.

8. The limits of the town of Waterloo shall be the present boundaries of the village of Waterloo, save that, for school purposes, its limits shall include those portions of the township of Shefford now attached to the respective school corporations of the said village of Waterloo.

Annexation of adjacent territory.

9. Any proprietor of land adjoining the said town limits may have such land annexed to the said town, and form part thereof, provided that the council of the said town and the council of the municipality within the limits of which such land is situated, consent thereto.

How effected.

Such annexation shall be effected by means of a resolution of the town council, passed after the consent of the other municipality has been obtained, authorizing, by resolution, the said annexation; and thereafter such annexed land shall, for all purposes within the scope of the act, form part of the territory of the town of Waterloo.

PUBLIC NOTICES.

R. S. Q. art. 4367, replaced for town.
Publication of notices, &c.

10. Article 4367 shall not apply to the said town but the following shall be substituted therefor; to wit:

"The publication of a public notice for municipal purposes shall be made by posting a copy of such notice in a conspicuous place on or in the post office in the said town in both languages and also by publishing the same in the English language in a newspaper published in that language, and in the French language in a newspaper published in that language, in the town.

"In default of such newspapers, or either of them, in the town, the town council may, by resolution, determine from time to time the manner of publication of such notices."

GENERAL POWERS.

Additional powers.

11. The said corporation may exercise the following powers in addition to those conferred by article 4192:

1. It may have a common seal, which it may change or seal modify at will.

2. It shall in law be capable of receiving by donation, of acquiring, holding and alienating by any title, or in any manner whatsoever, any property, moveable or immoveable, for the use or benefit of the town; to become a party to contracts or agreements in the management of the affairs of the town or for its benefit; to give, make, endorse or accept all notes, drafts, bonds, cheques, obligations, judgments or other instruments for the payment of any sum of money or in discharge, recognition or execution of any right or obligation whatsoever, and to borrow money for any purpose within the jurisdiction of the council of the said town, either upon debentures or by hypothecating the immoveable property of the town for that purpose.

Power to hold, &c., property; become party to contracts; give notes, &c.

THE TOWN COUNCIL.

12. The municipal council of the town of Waterloo shall consist of nine members or councillors, whose term of office shall be three years, save for those who may be drawn out by lot as hereinafter enacted, or until their successors shall be elected or appointed, subject however to the provisions of article 4197.

Composition of council.

13. Of the nine councillors elected at the first election under this act, three must be replaced at the time of the next general election, three at the same period in the year which follows that last mentioned, and the remaining three at the same period in the year following that last mentioned, in such manner that three will retire in one year from the first election, three in two years thereafter, and the remaining three in three years from the said first election, and thus continue thereafter to elect three councillors each year to replace those whose term of office has expired by efflux of time.

Replacing of councillors.

14. The councillors who are to retire at the first and second general elections after the first election under this act, shall be selected by lot at a session of the council in the month of December preceding, at which shall be drawn out to retire three of the councillors to be replaced at that election, and, in default of their so doing, the retiring councillors shall be chosen by lot, by the presiding officer of the election, in presence of the municipal electors immediately after the opening of the meeting for the election, and an entry thereof shall be made in his report of the election to the council.

Selection of those first to retire.

Election of
mayor and
pro-mayor.

15. At the first session of the council after the election of councillors in each year, the council shall elect one of its members, qualified for the office, as mayor of the corporation, and another as pro-mayor to replace him when sick or absent, who shall be vested with his powers ; their term of office shall be one year or until their successors are appointed.

Term of
office.

R. S. Q. art.
4300 § 2 not to
apply.

16. The second paragraph of article 4300 shall not apply to the said town.

Mayor's right
to vote.

The mayor shall have the same voting rights as councillors, permitted by the said article.

Quorum of
council.

17. The quorum of the council shall consist of five members.

MUNICIPAL ELECTORS.

Additional
municipal
electors :
Unmarried
women and
widows.

18. In addition to the municipal electors referred to in article 4227, all unmarried women and widows of the full age of twenty-one years and subjects of Her Majesty, having the necessary property qualifications provided for male electors in the said article, and who have complied with the other provisions thereof, shall have the right to vote for all school and municipal purposes at the elections provided for in this act, provided further that their names are entered on the valuation roll as required for other electors by the said article.

R. S. Q. art.
4227, mo-
dified.

The said article 4227 is hereby modified to conform with the foregoing enactment as respects the said town.

R. S. Q. art.
4525 to 4532,
not to apply
to town.

2. The articles 4515 to 4522, inclusively, shall not apply to the town, and the following shall be substituted therefor, to wit :

Valuation roll
to be list of
municipal
electors.

“ For all municipal and school purposes the valuation roll of the said town, in force, shall be the list of municipal electors without the necessity of a formal list being made otherwise.”

QUALIFICATION OF COUNCILLORS.

Qualification
of municipal
electors.
K. S. Q. art.
4216, amend-
ed.

19. The qualification of members of the council of the said town shall be that provided by article 4216, except as to the last paragraph thereof, which shall be struck out, so far as relates to the said town, and the following substituted in its place :

Property
qualification.

“ 4. He has possessed therein for at least one year, as proprietor in his own name, real estate of the value of at least one thousand dollars according to the valuation roll in force for the time being, over and above all charges and hypothecs affecting the same.”

MUNICIPAL ELECTIONS.

20. Apart from the provisions of the title XI of the Revised Statutes, relating to town elections, the following shall apply and be substituted for any enactments thereof, inconsistent with the provisions hereinafter set forth, to wit :

Provisions
respecting
elections.

1. The annual general election of councillors for the said town shall be held on the second Monday in the month of January of each year, commencing at ten of the clock in the forenoon.

Day and hour
for general
elections of
councillors.

2. The words "mayor and" shall be struck out, so far as relates to the said town, wherever they occur in articles 4234, 4235 and 4244.

"Mayor"
struck out of
certain arti-
cles of R. S.
Q., for town.
Art. 4237,
amended for
town.

3. The word "five" shall be substituted for the word "seven" in the first paragraph of article 4237, and the last paragraph of the same article shall be struck out, so far as relates to the said town.

4. Articles 4238 to 4247 inclusively, save article 4244, as amended by the preceding paragraph, and articles 4256, 4257, 4258 and 4264 shall not apply to the said town.

Certain arti-
cles not to
apply.

5. If one hour after the opening of the meeting there have been or remain nominated as councillors only as many persons as there are councillors to be elected, the presiding officer shall declare such persons elected councillors.

Election by
acclamation,
if only num-
ber required
to fill vacan-
cies are nomi-
nated.

6. If, one hour after the opening of the meeting, there have been and remain nominated more candidates than there are councillors to be elected thereat, the presiding officer shall grant a poll, but if among the said candidates, there are any to whom there is then no opposition, the presiding officer declares such candidates elected and the poll is held for the other candidates only.

Polling if
more candi-
dates than
vacancies.
If some are
not opposed.

To ascertain whether there is no opposition, the presiding officer shall call for a show of hands for each candidate, beginning with the person first nominated and continuing in the order of nomination.

Show of
hands.

7. The poll shall be at once opened thereafter and held until five of the clock of the same day, when, if there are no more electors present desiring to vote, the election shall be declared closed, otherwise the election shall be adjourned until ten of the clock of the following day, and held until five of the clock of such day when it shall be declared closed.

When poll to
open and to
close.

Nevertheless, if, at any time after the polling of votes has commenced, one hour elapses without a vote being polled, the presiding officer must close the election, unless notice under oath is given him that an elector has been, within the hour last past, prevented from approaching the

Closing of
poll in certain
event.

Proviso.

poll by violence, in which case the election shall not be closed until one hour after such violence has ceased.

Entry of
voter's names
in poll book.

8. At the opening of the poll, the presiding officer shall enter or cause to be entered in a poll book, kept pursuant to article 4244 as herein amended, the votes of the electors with their full names.

Right of elec-
tors to vote.

9. The electors qualified to vote at such election may vote for as many candidates as there are councillors to be elected, if none have been proclaimed elected by acclamation, as hereinbefore provided.

Certain words
replaced for
town, in S. R.
Q., art. 4229 to
4272.

10. The words "deputy presiding" or "deputy presiding officer," in all the articles of the Revised Statutes, from article 4229 to 4272 inclusively, shall be replaced by the words "presiding officer" so far as applies to the said town.

Certain words
replaced for
town in R. S.
Q., art. 4250,
4253 to 4255.

11. The words "mayor" and "of this ward *as the case may be*," in article 4250; the words "mayor and for that of," in article 4253, and the words "for the ward," in articles 4254 and 4255 of the Revised Statutes, shall be struck out in so far as relates to the said town.

Hotels, &c., to
close their
bars during
elections.

12. All hotels, taverns and saloons shall close their bars during the days of the election from seven of the clock in the morning until the same hour in the evening, under a penalty of fifty dollars or, in default of payment, imprisonment in the common gaol of the district for three calendar months.

Proviso as to
elections in
event of divi-
sion of town
into wards.

13. In the event that the council of the said town should hereafter divide the town into wards by by-law, such portions of the said Town Corporations' Act relating to ward elections (articles 4234 and following) as harmonize and are not inconsistent with the preceding provisions, shall revive and become operative.

FIRST ELECTION.

When first
election to be
held.

21. The first election of councillors for the said town shall be held within sixty days from the day when this act comes into force, at the town hall therein, at the hour and in the manner provided by this act for annual general elections, the enactments as to which shall apply.

Who to pre-
side.

22. Such election shall be presided over by the secretary-treasurer of the village of Waterloo, or, in his absence, by a person named by the majority of the electors present.

Valuation roll
to prove qual-
ification of
electors.

23. The valuation roll in force in the said village shall be proof of the qualification of electors at such election, as well as of the councillors to be elected.

Notice of elec-
tion to be
given.

24. Public notice of such election shall be given, in the usual manner of giving public notices in the said village of

Waterloo, by the secretary-treasurer, at least eight days previous to the day fixed for the said election.

25. The presiding officer shall deliver a report of the election to the town council at its first session, which shall be registered at length in its minute book of deliberations. Report on election to council.

CONTESTATION OF ELECTIONS.

26. Article 4276 shall be struck out as respects the said town, and the following substituted in its place, to wit : Art. 4276 re placed for town.

“ The examination and decision of such contestation is vested in the Circuit Court in and for the county of Shefford.” Jurisdiction of Court.

27. The words “ clerk of the Circuit Court in and for the county of Shefford ” shall be substituted for “ prothonotary,” in article 4281, and the words “ said clerk’s ” shall replace the word “ prothonotary’s,” in article 4282, in so far as relates to the said town. Certain words substituted for town in R. S. Q., art. 4281 and 4282.

SESSIONS OF THE COUNCIL.

28. The first session of the council after the election shall be held at the town hall, in the said town, on the Wednesday next after the closing of the election, at the hour of eight of the clock in the evening. When and where first session to be held.

Such session shall be a general session of the council. Session to be general session.

29. Article 4305 of the said Revised Statutes shall be amended, for the purposes of this act, by adding, after the word “ convenient,” in the second line, the following words : “ or may add to such committees any other person or persons not being members of the council, or may appoint such person or persons alone for any special purpose.” R. S. Q., art. 4305 amended for town.

OFFICERS OF THE COUNCIL.

30. Article 4309 shall, for the purposes of this act, be amended by striking out the words, “ in each year,” in the fourth line thereof, and replacing them by the words “ in every other year.” R. S. Q., art. 4309 amended for town.

2. In addition to the officers provided for by article 4309, there shall be appointed, at the same time and in the same way as the other officers mentioned in the second paragraph thereof, one or more pound-keepers. Pound-keepers to be also appointed.

3. The articles of the Municipal Code, numbers 428 to 448 inclusive, relating to pounds and pound-keepers, shall Arts. 428 to 448 of Municipal Code to

apply with
certain
amendments.

apply to the said town until amended or repealed by by-law of the town council, save that the words "rural inspector," wherever they occur in the above cited articles of the Municipal Code, shall be changed to "road inspector", so far as the said town is concerned, and suits for damages or penalties are to be sued for and recovered under this act or under the Town Corporations' Act, as the case may be, and not under the provisions of the Municipal Code.

Suits for
penalties to
be under town
corporations'
act.

TAX PROVISIONS.

Council for
certain pur-
poses of
management,
&c. authorized
to levy taxes
upon :

31. In order to raise the sums required by the town council to meet the expenses of administration, provide for public improvements, fulfil the obligations entered into, as well by the corporation of the village of Waterloo, as by the said town, or of those to which it may, in any way, be or become liable, and to liquidate the liabilities it may incur under this act, the said council shall be authorized to levy on persons and on the moveable and immoveable property in the town, the following taxes, to wit :

Lands, town,
lots, &c ;

1. On all lands, lots or parts of lots, with all the buildings and improvements thereon, and whether there be buildings erected thereon or not, a sum not to exceed one and one half cents in the dollar of their whole value as entered in the valuation roll of the town ;

Tenants. :

2. On each tenant paying rent in the town, an annual sum of three cents on the dollar on the amount of such rent, provided that such tenant is not taxed for immoveable property for an amount exceeding said rental tax, in which case he shall be exempt from the said rental tax ;

Male inhabit-
ants not other-
wise taxed ;

3. On each male inhabitant of the age of twenty-one years and over, who shall have resided in the said town for at least six months, and who is not otherwise taxed, an annual sum of two dollars ;

Dogs.

4. On every dog in the said town, an annual sum of two dollars, and on every bitch, an annual sum of five dollars, which may be collected from the owner or harbourer of the dog or bitch.

Taxes on real
estate to be
levied an-
nually.

The taxes provided for by sub-section one of this article, upon real estate, shall be levied annually by by-law.

Personal taxes
are perma-
nently impos-
ed to be
collected an-
nually.

Those relating to personal taxes in the three preceding and last sub-section of this article, are hereby permanently imposed, to be collected annually by the secretary-treasurer of the said town as other taxes, without further municipal ordinance, until repealed or amended by by-law of the council.

32. It shall also be lawful for the town council to regulate, by by-law, and to fix, impose and levy by by-law, certain annual rates, duties or taxes to an amount not to exceed one hundred dollars in each of the following cases, to wit:

Council further authorized to impose and levy taxes not exceeding certain sum :

Upon all proprietors, possessors, agents, managers or keepers in the said town, transiently or otherwise, of theatres, menageries, circuses and travelling shows or any of them, of billiard saloons, ten-pin alleys and other places for games and amusements, of houses of public entertainment, taverns, coffee-houses and eating houses; upon all retailers of spirituous liquors, auctioneers, barbers, photographers, grocers, butchers, hawkers, hucksters, carters and livery-stable keepers in the said town, or proprietors or keepers of wood and coal yards, tanneries and slaughter-houses in the said town; upon money changers, exchange brokers, pawnbrokers and their agents, mercantile clerks and book-keepers, bankers and clerks and agents of bankers, and banks, insurance, telegraph, telephone and express companies, or their agents in the said town, proprietors and occupants of mills and manufactories in the said town, moved by steam or water power, and generally on all commerce, trades, arts and manufactures which have been or may be introduced into or exercised and operated in the said town, although not specifically mentioned herein.

Upon trades and callings.

33. The said council may further, by by-law, impose and levy an annual tax upon every person practising in the said town the profession of advocate, notary, physician, surgeon, dentist, land-surveyor, veterinary-surgeon, bailiff, or any other liberal profession, a sum not to exceed eight dollars per annum.

Council may levy taxes upon professional men.

34. The said council shall also have the power, by by-law, to compel all pedlars or persons who shall temporarily come into the said town to sell goods from bankrupt or other stocks, to take out and pay a license not to exceed ten dollars for the sale of such merchandize so brought to and exposed for sale in the said town.

Council may require certain persons to take out licenses.

Such license shall be valid for one year from its date, and if the same is not taken and paid for, the amount of the license shall be demanded by the secretary-treasurer or other municipal officer, and if not then forthwith paid, it may be collected by a warrant issued under the hand of the mayor immediately after such default, and addressed to a bailiff of the Superior Court, or to a constable, and the said merchandize may be seized even upon the person of the vendor, and sold for the payment of the said license by such or any other bailiff or constable, under the same

Duration of license.

If amount not paid, distress warrant to issue.

rules of procedure as a writ of execution *de bonis* issued from the Circuit Court.

COLLECTION OF TAXES.

Art. 4557 and 4558 not to apply to town. Provisions substituted.

35. Articles 4557 and 4558 shall be inoperative and not apply to the said town.

The following provisions are substituted therefor, to wit :

Statement to be prepared of over-due taxes and when.

1. In the month of November, in each year, the secretary-treasurer shall prepare a statement of the over-due taxes, as well school as municipal, in the manner prescribed by article 371 of the Municipal Code and submit the same to the council.

Sale of lands for taxes, when and by whom to be held and where.

2. On the first juridical day of the month of March following, the secretary-treasurer, or some person acting for him, at the town hall in the said town, shall sell by public auction to the highest bidder, the immoveable properties upon which there shall be due at least one year's arrears of municipal or school taxes, and which the council has ordered him to sell by a resolution passed at a previous meeting.

Notice of sale and publication thereof.

3. Notice of such sale shall be given by the secretary-treasurer in the month of January preceding the sale, in the manner provided for giving public notices in and by this act, but in default of the newspapers thereby mentioned, or either of them, such notice shall be published twice during the said month, in both languages, in the *Quebec Official Gazette*.

What notice to contain.

Such notice of sale shall contain the description of the immoveable properties to be sold, the names of owners, if known, the total amount of any such taxes affecting the said properties, and the day, hour and place of sale.

Adjudication.

After making known the amount due on each of such properties, including therein a part of the costs incurred for the sale, proportionate to the amount of the debt, any person offering then and there to pay the amount so due for the smallest portion of any such property, becomes the purchaser thereof, which must be at once adjudged to him by the secretary-treasurer.

Purchaser to pay at once.

4. Such purchaser must pay the amount of his purchase money immediately upon the adjudication thereof, in default of which it shall be at once put up again for sale, or the sale may be adjourned to the following or any subsequent day within eight days, by giving to all persons present notice of such adjournment in an audible and intelligible voice.

If not, property to be put up again or sale to be adjourned.

Adjournment if no bids.

5. If, at the time of the sale, no bid is made, the sale is also adjourned in the same manner to another day within the eight days.

6. On payment by the purchaser of the amount of his purchase money, the secretary-treasurer shall set forth, in a certificate made in duplicate and signed by himself, the particulars of the sale, of which one shall be delivered to the purchaser and the other shall be immediately registered in the registry office, at the cost of the purchaser. Certificate to be given to purchaser.

7. The purchaser is thereupon seized and possessed of the land adjudged to him and may enter into possession thereof, subject to its being redeemed within one year next following the adjudication, during which time the purchaser shall not remove any timber, or any of the buildings thereon or deteriorate the immoveable in any manner. Effect of certificate. Proviso.

8. The corporation of the town may bid at the sale of such property thus put up for sale and may become the purchaser thereof through the mayor or any person authorized by him or by the council, without being held to pay forthwith the amount of the purchase money. Corporation may bid.

9. The owner, or any person in his behalf, may, within one year from the day of the said adjudication, redeem the sold property by paying to the said secretary-treasurer the amount for which it was sold, with all costs of sale and the subsequent costs, if any, in connection therewith, together with all taxes, school or municipal, which may have become due and payable on such property since the date of its said adjudication, with interest thereon at the rate of fifteen per centum per annum. Redemption of lands so sold.

10. The purchaser shall be reimbursed also for the costs of all necessary repairs and insurance premiums paid to protect the said property from loss or damage by fire, as well as the amount of the taxes and the costs of the municipal work performed therefor, together with interest on the whole at the rate of fifteen per centum per annum, every fraction of a year being reckoned as a year, on all such moneys, whether taxes, costs, repairs, insurance or work. What sums are to be reimbursed to purchaser.

Such claims shall be privileged upon the property and the purchaser may retain the property until fully paid. Claims to be privileged.

11. In default of such redemption the purchaser remains the irrevocable proprietor thereof, and the secretary-treasurer, under his signature, shall execute in the name of the corporation a deed of sale of such sold property to the purchaser and shall deliver a duplicate thereof, upon payment of costs of deed and registration, and thereupon the secretary-treasurer shall cause the same to be immediately registered in the county registry office. In default of redemption, purchaser to receive deed of sale, &c.

12. The sale made under the preceding provisions purges the property from all claims, privileges, and hypothecs whatsoever to which it may be subject, except Effect of sale.

claims for the payment of municipal debentures or the taxes to pay the same or interest thereon.

If property
also seized by
sheriff, pro-
ceedings
thereafter.

13. If, before the sale of any such property by the secretary-treasurer, the same be seized by the sheriff, the secretary-treasurer, upon being notified by the seizing creditor or his attorney of such seizure, shall complete his advertisement, but shall not proceed with the sale, and shall thereupon, without delay, transmit to the sheriff a statement of the sums due for taxes and costs incurred on account thereof, which sum shall be paid by the sheriff, by privilege, out of the proceeds of the sale made by him.

If sheriff's
sale delayed
by opposition,
&c.

If the sheriff's sale is delayed, by opposition or otherwise, the corporation of the town may then, after giving the public notice required by this act, proceed upon a day stated in such notice to the sale of the said property.

Prescription
of suit to an-
nul sale.

14. The action to annul any sale of such property is absolutely prescribed in two years from the date of the adjudication.

BY-LAWS.

Council may
by by-law :

36. The municipal council of the said town shall have the power to pass by-laws :

Limit or re-
gulate sale of
intoxicants,
&c. ;

1. To limit or regulate the sale of spirituous, vinous, malt, alcoholic or intoxicating liquor, by retail or wholesale, within the limits of the said town, and to fix a sum, not exceeding one hundred dollars nor less than fifty dollars, to be paid for the granting of each certificate to obtain a license authorizing the sale of the same in the said town, notwithstanding the provisions of article 4414, which shall not apply to the said town ;

Restrain or re-
gulate *abat-*
toirs, &c. ;

2. To restrain, regulate or prohibit the using or keeping of any slaughter-house in the town, and also to abate any public nuisance therein, which may endanger the lives, health or safety of the public ;

Cause arrest
and punish-
ment of dis-
turbers of the
public peace,
&c.

3. To cause the arrest and punishment of all persons in the town disturbing the public peace, loitering in the streets, using profane, obscene or insulting language therein, or to any person or persons therein, incommoding peaceable passengers, and all drunken persons breaking any by-law of the town respecting the public order, peace or health thereof, to deliver such person to the keeper of the lock-up or other place of detention in the town, until he shall be brought before the mayor or some other justice of the peace to be dealt with according to law.

Council may
by by-law :

37. The said council of the town shall also have the right to make, amend, repeal or replace by-laws for the following purposes, to wit :

1. To forbid trotting or running on bridges, or in the public streets faster than a given rate ; Forbid trotting, &c. ;
2. To forbid stove-pipes on roofs, and to determine in certain cases of what materials roofs should be made ; Forbid stove-pipes on roofs, &c. ;
3. To regulate wood or coal yards, and to provide for the measurement of wood, coal and lumber ; Regulate wood and coal yards, &c. ;
4. To suppress games of skill, hazard or exercise, or to allow them under license, and to restrain, regulate or prohibit the keeping of public billiard saloons, or of pigeon-hole tables and such like games ; Suppress games of skill, &c. ;
5. To regulate the construction of privies, cellars, drains, water-courses, fences, ditches, ovens and steam engines of any factory or workshop ; Regulate construction of privies, &c. ;
6. To encourage the planting of shade trees along the streets or in the public squares, and to protect the trees set out or planted along such places, whether within the limits of such streets, squares or parks, or belonging to private properties bordering upon or shading such streets, squares or parks ; Encourage planting of shade trees, &c. ;
7. To prevent filth of any kind being deposited in Waterloo lake, or its outlet, situate in the town, or being thrown on or deposited in the streets, ditches, parks, squares or sidewalks in the said town and to prevent the obstruction of the streets or sidewalks and, in case thereof, to cause the removal of the same at the expense of the offender and under the penalty to be thereby imposed. Prevent filth from being thrown into Waterloo lake, &c.

38. The first paragraph of article 4381 shall not apply to the said town but the following shall be substituted therefor, to wit : First paragraph of art. 4381 replaced for town.

“ The original of every by-law shall be registered at full length in writing in the minute book of proceedings of the said council, and the signing of the minutes of the session of the council at which such by-law was passed by the mayor and secretary-treasurer shall be a sufficient signing and countersigning thereof.” Registration of by-laws, &c.

39. The general powers to make by-laws, conferred upon towns and villages by the Municipal Code, may also be exercised by the council of the said town, provided that they are not inconsistent with the provisions of this act. Powers given to towns and villages by Municipal Code conferred upon town.

PRESERVATION OF THE PEACE.

40. The council of the said town may, by resolution, appoint, dismiss and replace from time to time, as occasion may require, one or more men to compose the police force of the town. Appointment of constables, &c.

They shall be sworn, before the mayor or a justice of the peace, to act as such police officers or constables, and To be sworn.

shall obey all legitimate orders of the council, or any of its members or any justice of the peace of the district.

Powers of constables.

41. All and each of such officers or constables are vested with all necessary powers for the accomplishment of their duties.

To arrest, on view, certain offenders.

1. They or any of them may lawfully arrest, on view and without any warrant, any person found breaking the public peace, or lying or loitering, either during the night or day-time, in any street, field, yard or other place, or lodging, or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing a tumult in the public streets, highways, parks, squares, bridges or on any part of the Waterloo lake or pond or its outlet or the banks thereof, within the limits of the said town, by shouting, swearing or otherwise, and all persons contravening any federal or provincial law or any by-law of the town, or any person aiding or encouraging the contravention of any such law or by-law.

Serve subpoenas, &c.

2. They are also authorized to serve all subpoenas and summons and execute all warrants and other proceedings for the arrest and confinement in gaol of any and all persons accused or remanded for examination or for trial or arrested in virtue of a warrant of arrest for the commission of any crime or the violation of any federal or provincial law, or any by-law of the said town.

Enter inns, &c., for certain purposes.

3. Any such officer shall have the power and authority to enter every inn, hotel, shop or store, licensed to sell spirituous, vinous, alcoholic, intoxicating or fermented liquors, to ascertain if the laws or by-laws regulating the same are faithfully observed, and to arrest on view, and without a warrant, all such persons whom he may find in such houses or places contravening any law or by-law.

Enter store-houses, &c., for certain purposes.

4. It shall also be lawful for any of such officers at any time to enter any store-house, shop or other house or building, not licensed for the sale of the liquors mentioned in the next preceding paragraph, wherein they shall suspect such liquors are sold, and to arrest, with a warrant, every person contravening the laws prohibiting the sale of such liquors without a license.

Person arrested to be conveyed to lock-up, &c.

5. Any person arrested under any of the provisions of this section or article, shall be immediately conveyed to the lock-up established in the said town, and there kept until taken before the mayor or any other justice or justices of the peace, but such arrested person may give bail before the last named officials or any of them to appear on the day appointed before them or any of them.

May give bail.

Constables may execute warrants,

6. Any such officer or constable is authorized to execute all warrants, orders and executions of the said town

or its council, and to serve all special notices, and publish ^{serve notices, &c.} all public notices required to be made by virtue of this act or any of the by-laws of the said town, and, under the oath of office of any of them, their certificate of the correctness of such execution, service or publication shall be sufficient without a special oath to that effect being required.

GENERAL PROVISIONS.

42. Suits or prosecutions to recover penalties imposed by by-laws of the said council, or under the provisions of the said Title XI of the Revised Statutes, shall not be considered for the purposes of this act, *qui tam* or popular actions, so as to exact the affidavit required by article 5716 of the Revised Statutes, nor shall the provisions of that article and the three articles immediately following it apply in such suits or prosecutions so far as relates to the said town ^{Suits for penalties not to require affidavit as popular action, &c.}

All such penalties or fines shall be recoverable or enforceable at the suit of the corporation or private prosecutor with full costs, as actions of debt, notwithstanding that the amount recovered is to be divided in the manner provided by article 4589, and in default of payment, the condemnation to imprisonment provided by the said by-laws or by said Title XI are made applicable. ^{Penalties recoverable as actions of debt.}

43. As regards the said town the articles hereinafter mentioned shall be amended as follows to wit : ^{Certain articles amended.}

Article 4207, by adding thereto the words " which shall also be countersigned by the secretary-treasurer. " ^{Art. 4207.}

Article 4227, by adding after the third paragraph thereof the words : ^{Art. 4227.}

" The municipal taxes shall mean and are intended to include the personal taxes imposed by this act or by any by-law of the said town. " ^{What municipal taxes mean.}

44. Any oath required to be taken under the provisions of this act or of Title XI, so far as relates to the said town, may be administered by the secretary-treasurer. ^{Oaths before whom may be taken.}

45. As respects the said town, the words : " Circuit court in and for the county of Shefford ", shall be substituted for the words : " Superior court "; the words : " Clerk of the said court " shall be substituted for " prothonotary, " and the words ; " clerk's office " shall be substituted for " prothonotary's office ", wherever they occur in the general act, Title XI of the Revised Statutes. ^{Certain words substituted for town in general act.}

46. The taxes imposed or due under any by-law of the said village of Waterloo, levying or imposing a tax to ^{Taxes, &c., to redeem debentures may be}

levied according to annual valuation roll or according to last valuation roll of village at option of council.

Duty of secretary-treasurer in such case.

redeem debentures, issued or provided to be issued, by the corporation of such village, or to pay the interest upon such debentures or to provide for a sinking fund for such redemption, may be imposed, levied and apportioned annually, after the coming into force of this act, according to the valuation roll in force in the town from year to year, if the town council so decides by resolution, otherwise, to be so imposed, levied and apportioned according to the last valuation roll of the village of Waterloo.

In the event of such option on the part of the said town council, it shall be the duty of the secretary-treasurer to make, each year, until the payment or redemption of such debentures, a special collection roll, apportioning on the taxable properties subject thereto, according to their respective value as shown on such town valuation roll, the amount of the tax imposed and due for the interest and for the sinking fund respecting the said debentures.

As to issue of debentures, approved but not yet issued.

47. In case any debentures, voted to be issued by the council of the village of Waterloo, and approved according to law, have not been issued before the coming into force of this act, then such debentures may be issued in the name of the said town of Waterloo when required instead of in the name of the said village.

Local board of health continued.

48. The local board of health, as created by resolution of the council of the said village of Waterloo, shall continue to be and remain the local board of health of the said town, until otherwise removed or changed

Officers to be officers of the town.

Its officers shall be, for the purposes of their organization and duties, officers of the said town.

Certain tariff of fees applicable to town.

49. The tariff of fees prescribed by the Municipal Code shall apply to the said town, until changed or repealed by resolution of the town council and posted as provided by Title XI.

PART II.

RESPECTING SCHOOL MATTERS.

Town a separate school municipality.

50. The town of Waterloo shall be and is hereby declared to be, from and after the coming into force of this act, a separate school municipality, whose limits and boundaries shall be those established by articles 8 and 9 of this act, entitled "limits of the town."

Interpellation of word "town" for school matters.

51. Whenever the word "town" is hereinafter used in respect to school matters, it shall mean the town for school purposes, unless otherwise designated or clearly meant.

52. There shall be hereafter in the said town two boards of school commissioners, each of which shall be composed of five commissioners, whose term of office shall be two years, subject to the condition hereinafter mentioned, and shall each be, under its own name, a body corporate and politic, with all the powers and privileges of corporations. Two boards of school commissioners.

2. One of such boards shall be called : "The Roman Catholic board of School Commissioners of the town of Waterloo," and the members thereof shall be Roman Catholics ; the other board shall be called : "The Protestant Board of School Commissioners of the town of Waterloo" and the members thereof shall be Protestants. Name of boards.

3. The members of the Roman Catholic board shall be elected by the Roman Catholic municipal electors of the said town, and those of the Protestant board by the Protestant municipal electors of the said town. How members are elected.

QUALIFICATION OF COMMISSIONERS.

53. May be eligible for election on either of said boards in the said town, subject to the condition as to religious faith : Qualification of members.

1. Clergymen or ministers of all religious denominations residing in the town, although not qualified as to property ; Clergymen, &c.

2. All male municipal electors who, besides having the qualifications for municipal electors, possess, as owners, real estate according to the valuation roll in force of not less than five hundred dollars in value, over and above all hypothecs and encumbrances thereon. Certain male municipal electors.

54. The first election of commissioners under this act shall be held at the time provided in articles 1997 and 1998, which shall apply to that, as well as subsequent elections. First election of commissioners.

It shall be convened under the provisions of article 1999 which shall apply to this act. How to be convened.

55. Of the five commissioners of each board elected at the first election under this act, two must be replaced at the next annual election, and the three others the next following year, and so on, in such a manner thereafter that two will be elected each alternate year and three in the intervening years. Replacing of commissioners.

56. The commissioners who are to retire from each board, at the first general election following the first election under this act, shall be selected by lot at a session of the respective boards held in the month of May preceding and, in default of their so doing, the retiring How those to retire are to be chosen.

commissioners of the board or boards in default shall be chosen by lot by the presiding officer of the election, in presence of the electors on the day of the election, immediately after the opening of the election, of which a record shall be kept and entered of record in the book or books of the board in default, as before mentioned.

Present board of school commissioners and trustees continued in office and all by-laws, &c., continued in force until replaced.

57. The existing boards of school commissioners and trustees, and their respective officers shall remain in office until their successors are elected or appointed, and the by-laws, orders, rolls, contracts, agreements and other acts of such boards or any of them, in force when this act is passed, shall remain in force until repealed or amended by that one of such boards to which the same may appertain.

Title fifth of Revised Statutes to apply.

58. The provisions of Title V of the said Revised Statutes or of any law relating to Public Instruction shall apply also to each of such boards and to the members thereof, in so far as the same may not derogate from nor be inconsistent with this act.

Division of annual Government grant.

59. The annual grant of the Government of this Province for the support of schools in the town shall be divided between the said two boards in proportion to the Roman Catholic and Protestant population of such town according to the last census.

PROVISIONS AS TO TAXATION.

Estimate of expenditure to be prepared by each board annually and the rate required to levy.

Secretary-treasurer of each board shall notify the town secretary-treasurer.

If rates are nearly the same, conference to be called at town hall.

Who shall preside at conference.

60. On or before the tenth day of July in each year, each of the said boards shall prepare an estimate of the expenditure for the support of its schools and expenses of administration for the ensuing year and the rate on the taxable property liable therefor.

2. The secretary-treasurer of each board shall, within two days thereafter, notify, by written notice, the town secretary-treasurer of the conclusion thus reached in each case, and if the rates of each board are, in the opinion of the town secretary-treasurer, so appreciably near in amount as to warrant the belief that a conference of the two boards might lead to an agreement thereon, he shall at once notify the secretary-treasurer of each board to convene the members of his board, at the office of the said town secretary-treasurer on a day and hour named, to be not less than two nor more than five days thereafter, and the secretary-treasurer of each said board shall forthwith notify the members of his board to that effect.

3. At such conference, the town secretary-treasurer shall preside and shall cause minutes of the meeting to be kept, which he shall enter in a summary manner in the

minute book of the town council, and which shall be held to be a true record of the proceedings thereat.

The secretary-treasurer of each board shall attend such conference, but without having the right to vote, and shall procure from the town secretary-treasurer a copy of his minutes of the meeting, which they shall each enter in the minute book of their respective boards. Secretary-treasurer of each board to attend.

4. No such conference shall be held unless a quorum of each board is present, and when so present the decision reached shall be binding upon the two boards, provided that three members of each board agree thereto. Quorum of each board to be present at conference.

If no quorum is present for any one of such boards, it shall be deemed that the two boards were unable to agree, or if, a quorum being present, they are unable to agree as to the rate, then, in either of such contingencies, each board shall proceed by by-law to fix its own rate of assessment for the year beginning the first day of July previous thereto, and the secretary-treasurer of each board shall deliver a copy of its by-law, with the certificate of its publication to the town secretary-treasurer on or before the fifth day of August following such attempted conference, which shall be recorded in his minute book to form part of the records of the said town and to become the warrant for the levy of the school tax by him as hereafter provided. If no quorum present.

5. If, at such conference, the boards agree as to the rate or amount to be levied, they shall adjourn and, at a subsequent meeting of their respective boards, shall each enact a by-law fixing a rate to be levied on the taxable real estate of the town for school purposes, liable to the enacting board, provided, however, that such tax shall not exceed seven mills on the dollar unless with the approval of the Superintendent of Education. Fixing of rate by each board.

A copy of each such by-law, with certificate of publication, shall be delivered to the town secretary-treasurer in the manner and for the purpose and for the exercise of the same formalities provided by the next preceding paragraph of this article. Delivery of copy of by-law fixing rate to the town secretary-treasurer.

6. If the secretary-treasurer of the town is of the opinion, from an examination of the rates respectively furnished to him by the two boards, as hereinbefore provided, that no agreement could be reached by such conference, he shall at once notify the secretary-treasurer of each of the said boards to that effect; and, thereupon, each board shall by by-law fix its own rate of assessment for the year beginning the first day of July previous thereto; a copy of which by-law and certificate of publication shall be delivered to the town secretary-treasurer in the manner and for the purpose and for the exercise of the same formalities as provided by paragraph four of this article. To be entered in minute book.

If all members of boards are not present and notices duly sent, proceedings to be discontinued, and boards to be considered as not having agreed. Proceedings thereafter.

7. At such conference, if all the members of two boards are not present, the said town secretary-treasurer shall ascertain if the notices have been duly given each of them, and if some of the members are absent and no legal notice has been given them, the proceedings shall be discontinued, and it shall be deemed that they have been unable to agree, and the procedure to be followed in consequence shall be that provided by paragraph four of this article.

When agreement made, proceedings by town council to levy rate.

61. When such agreement has been made, the town council, at its first session thereafter, or at a subsequent session,—special, adjourned or general—shall, by resolution, declare the school tax to be levied for the current year thereby; and it shall be the duty of the said council to levy through its secretary-treasurer upon the taxable real estate of the municipality the tax which shall have been so determined by the said two boards, and if no such agreement has been made, through the causes hereinbefore mentioned, the said council, at any of its said sessions enumerated in this article, shall, by resolution, order its said secretary-treasurer to levy the tax imposed by each of such boards as determined by their said by-laws, as well as the tax imposed on and due from the “neutral panel” hereinafter provided for.

If no agreement, proceedings by town council to levy separate rates.

Name of tax.

The said taxes shall be called “the school tax.”

When school tax to be levied and recovered.

62. The said school tax may be levied and recovered at the same time as the other taxes of the town for municipal purposes, and for the purposes of the collection thereof shall be deemed to be a municipal tax of the town; provided, however, that the corporations, persons and companies, which may have been or which shall be exempted from municipal taxes by by-law or regulation of the town council or of the village council of Waterloo, shall nevertheless be liable for the said school tax.

Certain corporations &c., exempted from municipal taxation, to pay school tax.

Tax payable by proprietors.

63. The school tax shall be payable by the proprietors of real estate only, but the usufructuary, or occupant under an emphyteutic lease, shall be deemed to be the proprietor for the payment of such tax, as shall also the occupant, and be jointly and severally liable for the payment of the said tax with the proprietor.

Who are to be deemed proprietors.

Power of boards to borrow money in certain event.

64. Whenever it becomes necessary for any or either of such boards to raise more money in any year than the ordinary revenue of any such board amounts to, in order to meet pressing demands which were unforeseen at the time the annual rate was imposed, as before mentioned, the chairman and secretary-treasurer of such board, upon

resolution of their board to that effect, may borrow such sum of money and make and sign a promissory note in acknowledgment thereof in the name and on behalf of their school corporation, for which the said corporation shall be liable, and at the next annual determination of the rate shall make provision in the estimates for a sum sufficient to pay and retire said note; provided, however, that in case the sum to be borrowed exceeds two hundred dollars, the consent and approval of the Superintendent of Public Instruction shall be obtained.

And sign note for amount borrowed.

Provision for payment to be made in fixing next rate.

Provide as to amount.

COLLECTION ROLL.

65. Within ten days after the valuation roll of the town is homologated by the town council each year, the secretary-treasurer of the town shall give notice thereof to the secretary-treasurer of each of the said boards of school commissioners; and within ten days after such notice is given and received, the secretary-treasurer of such respective boards shall draw up a collection roll of the real estate of the town for school taxation based upon such valuation roll, which roll shall be certified to by them, and remain in the custody of the secretary-treasurer of the town council and form part of the archives of his office.

Notice to be given by secretary-treasurer of town to secretary-treasurer of boards after homologation of valuation roll.

Collection roll to be drawn up by secretary-treasurer of boards, &c.

66. The collection roll shall show :

1. The name of the owner or occupant ;
2. The description of each lot or property ;
3. The amount of the valuation of the property, and
4. The rate or sum to be levied on such lot or property.

The first three requirements of this article shall be the same as stated in the municipal valuation roll of the town in force, and the last the same as provided by the said by-laws of the respective boards.

What collection roll shall show.

67. The said roll shall be divided into four distinct panels, to wit :

Roll to be divided in four panels.

Panel number one shall comprise the taxable real estate belonging exclusively to Roman Catholics ;

Panel No. 1.

Panel number two shall comprise the taxable real estate belonging exclusively to Protestants ;

Panel No. 2.

Panel number three shall comprise the taxable real estate belonging :

Panel No. 3.

1. To corporations or incorporated companies subject to taxation under this act ;

2. To persons not comprised in panels numbers one and two or whose religion is unknown, or persons belonging to the Jewish faith who may declare their option to have their property placed in either panel number one or two ;

3. Property belonging partially and jointly to persons or partnerships, some of whom are Roman Catholics and others Protestants, as to faith.

Panel No. 4. Panel number four shall comprise all real estate exempt from taxation, which shall be the same as that mentioned in article 64 of the act of this Province, 53 Victoria, chapter 79.

Deposit of roll when completed. **68.** Upon its completion, the roll shall be deposited in the office of the secretary-treasurer of the town council, and notice thereof shall be forthwith given in the manner provided in this act for the publication of municipal public notices.

Examination of roll. **69.** Within the twenty days next after the publication of such notice, the roll may be examined by any person and, during such time, either board of school commissioners or any person whose name shall have been erroneously entered on any of such panels or omitted therefrom or who shall observe that any other person is entered by error on any of such panels or omitted therefrom, or that any material error has been made in such roll as to difference of value of the property of any person between the valuation on the valuation roll and on the collection roll, may make a written complaint to that effect within such delay to the town council, which shall amend and correct the said collection roll, if it appear necessary.

Appeal from decision of council homologating roll. **70.** Within the fifteen days following the final homologation, the decision of the town council may be appealed from to the Circuit Court in and for the county of Shefford, in the manner and subject to the rules relating to appeals contained in Title XI of the said Revised Statutes.

Roll to be finally homologated after certain delay. **71.** After the expiration of the said delay of fifteen days, the said roll is held to be homologated and shall avail for all school purposes in the town for the then current year and the tax thereby imposed shall be due and exigible, but in case of an appeal under the next preceding article the homologation shall not be complete until fifteen days from the date of the judgment therein.

Proviso as to appeal.

If panels amended, mistake to be rectified in next payment to board. **72.** If the panels are amended by either the town council or the court, the mistake shall be rectified in the next following payment to the board by whom the mistake was made, as well for the difference in the tax, as for any costs to which the town municipal corporation may have been subjected.

FURTHER TAX PROVISIONS.

Accounts and receipts for school taxes what to contain. **73.** The accounts and receipts given to tax payers for school taxes shall contain clearly and distinctly the words, "Panel No. 1, Roman Catholic School tax," or "Panel

No 2, Protestant School tax," or "Panel No. 3, Neutral School tax," as the case may be.

74. The taxes collected from the "Panel No. 1" shall belong to the Roman Catholic Board of School Commissioners, and those collected from the "Panel No. 2" shall belong to the Protestant Board of School Commissioners.

Taxes from :
Panel No. 1
to belong to
Roman
Catholics.
Panel 2, to
Protestants. :

2. The taxes derived from the Panel Number 3 shall be divided between the said two boards of school commissioners in proportion to the Roman Catholic and the Protestant population of the town according to the last census.

From Panel
No. 3, to be
divided
between them
according to
population.

3. The tax or rate of assessment upon the property in the Panel Number 3 shall always be the rate established for the said Panels Numbers 1 and 2, when an agreement has been reached by the two boards, as hereinbefore provided, but in case no such agreement has been made then the rate shall be fixed at the highest rate established by the by-law of either of such two boards.

How rate on
Panel Number
3 is to be
fixed.

75. Such sums so collected shall be paid by the corporation of the town of Waterloo to the secretary-treasurer of each of the boards of school commissioners, in four equal quarterly payments, on the first juridical days of July, October, January and April in each year, respectively.

Sums collect-
ed, how paid
to boards.

76. Each of such payments shall be exigible from the corporation of the said town when the same falls due, although the school tax to raise the amount thereof has not been collected, and may be recovered, with interest and costs, before any competent court, by the board of school commissioners entitled thereto.

Payments
exigible,
although tax
not collected,
&c.

77. Every year, each of the two boards shall be bound to deliver to the town council a detailed account of the sums it may have expended out of the moneys paid by the town corporation.

Accounts to
be furnished
town by
boards.

MONTHLY SCHOOL FEE.

78. It shall be lawful for the boards of school commissioners, or either of them, to exact from the parents, tutors or guardians of children of school age, residing within the school municipality, except those exempted by article 2072 of the said Revised Statutes, the payment of a monthly fee or rate not to exceed ten monthly assessments in any one year, the amount whereof shall be established, from time to time, by by-law of each board, as well as the manner of payment, and shall be paid to the secretary-treasurer of the

School boards
may exact
monthly
school fees.

board so establishing such fee or rate or as each of said boards may order by by-law or by resolution.

Monthly fee to apply to elementary schools.

Provisions respecting model and academic departments.

The said monthly fee shall only apply to the elementary or primary departments of the schools of either of such boards; and as to the model and academic departments of the schools, the said boards, or either of them, may, from time to time, establish by resolution and collect as they, or either of them, may direct, term tuition fees from each pupil attending thereat.

Report to specify number of children receiving gratuitous instruction, &c.

79. The report of the commissioners shall specify the number of children receiving gratuitous instruction and the number of those who pay such monthly fee or rate.

Recovery of monthly school fee, &c.

80. The monthly school fee, as well as the term tuition fee, may be recovered from parents, tutors or guardians by the secretary-treasurers of the respective boards to which they belong, and in case of default by suit in the name of the school corporation to which the same is due, before any competent court.

Prescription of such suits.

Nevertheless, no suit shall be brought for more than two years arrears.

MISCELLANEOUS PROVISIONS.

Prizes.

81. Either of the said boards of commissioners may appropriate from its funds such sums as it may deem advisable for prizes to be given in the several schools under its control.

Absence of commissioner from certain number of meetings vacates seat, which may be filled by board.

82. If any commissioner shall absent himself from four successive meetings of the board to which he has been elected, after having been regularly notified of such meetings, the said board shall have the power, at any meeting specially called for the purpose, to declare the seat of such commissioner vacant, and thereupon, immediately at the same special meeting, or at any subsequent meeting, the said board may elect any other qualified person of the said town to serve for the remainder of the term for which such commissioner had been elected.

If territory annexed to town to form part of school municipality.

83. Whenever the limits of the town are enlarged by the annexation of any outlying territory, such annexed territory shall thereupon become part of the school municipality of the town of Waterloo and be governed by the provisions of this act.

Division of school property of present com-

84. The school property, now belonging to the school commissioners of the village of Waterloo, shall become the property of the said Protestant Board of School

Commissioners of the town of Waterloo, which shall assume and pay the liabilities of the said village school commissioners; and the school property belonging to the trustees of the dissentient schools of the said village shall become the property of the Roman Catholic Board of School Commissioners of the said town, which shall assume and pay the liabilities of such trustees.

85. All taxes, fees, rates or sums of money due to the said school commissioners of the village of Waterloo shall be forthwith collected by the secretary-treasurer of such board, and be paid over to and enter into the funds of the said Protestant board of the said town; and all sums due for like causes to the dissentient trustees of the village of Waterloo shall be forthwith collected by the secretary-treasurer of the said trustees and be paid over to and enter into the funds of the said Roman Catholic board of the said town.

The whole subject to the provisions of article 6 of this act.

86. The secretary-treasurers of the two board of school commissioners, acting together during the months of August and September in each year, shall take a census of the population of the town of Waterloo, and also a census of the children residing therein, of not less than five nor more than sixteen years of age, which census shall be signed by the said officers in duplicate, and a certified copy thereof shall be deposited in the office of the secretary-treasurer of the town of Waterloo, and another with the Superintendant of Public Instruction.

87. The secretary-treasurer of the said town, before giving the notice to the secretary-treasurer of the said boards, as provided by article 65 of this act, shall procure from the secretary-treasurer of the township of Shefford, an extract from the valuation roll of the said township, in force at the time, in which shall be comprised those lots and pieces of land situate in the said township of Shefford which form part of the town of Waterloo for school purposes, as hereinbefore provided, with the names of the owners or occupants, and the values of the respective properties.

Such extract shall form part of the valuation roll of the said town for school purposes, and shall be employed by the secretary-treasurers of the said boards in drawing up the collection roll required to be made by them under the provisions of the said article 65 of this act.

The said extract shall be made and delivered by the secretary-treasurer of the township of Shefford on the demand of the secretary-treasurer of the said town, and

the fee therefor shall be the sum of two dollars, which shall be paid by the said town secretary-treasurer and deducted from the first payment due each board in the proportion of the interest each board has in the taxes due by virtue of the properties contained in the said extract.

General law respecting public instruction to govern town, if consistent.

88. The general law relating to Public Instruction, contained in Title V of the said Revised Statutes, shall be followed in all matters affecting education in the said town in which this act is silent or has no enactment relating thereto.

Salary of secretary-treasurers of boards.

89. The two boards of school commissioners for the said town may severally fix the salary to be paid annually to their respective secretary-treasurers.

Coming into force.

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

CAP. LXXXVI.

An Act to amend the act incorporating the town of Drummondville.

[Assented to 30th December, 1890.]

Preamble.

WHEREAS the corporation of the town of Drummondville has, by its petition, prayed for amendiaents to its act of incorporation, and whereas it is expedient to grant its prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

51-52 V., c. 88,
s. 4, amended.

1. Section 4 of the act 51-52 Victoria, chapter 88, is amended by adding the words " of the first range " after the words " numbers one, two and three ; " and the said section 4, is hereby further amended by the addition of the following clause thereto, after the words " the whole in the county of Drummond ; "

Annexation of territory.

" Provided, however, that it shall be lawful for the town council by by-law, to be sanctioned and approved of by the majority of the electors, who are proprietors, within the territory proposed to be annexed, to include, within the limits of the town, the remaining half of lots one and two of the first range of Wendover and lots one, two and three of the first range of the township of Simpson.

Privileges and obligations of proprietors so included.

Upon such property being included, as aforesaid, by by-law, the proprietors, whose properties shall be thereby included, shall have and possess all the municipal privileges and be subject to all the obligations, duties and