

Who may administer oaths.

338. Any oath required to be taken under the provisions of this act or of the said general clauses act may be administered by the secretary-treasurer.

R. S. Q. art. 4328 amended for town.

339. Article 4328 of the said Revised Statutes is amended by adding thereto the words "or a first hypothec of not less than two thousand dollars given on his real estate and approved by resolution of the Council."

Council of town of Drummondville declared to have all powers conferred by Municipal Code upon towns and village councils, in addition to powers by its charter.

340. For the removal of all doubts, it is hereby declared that the council of the town of Drummondville always had and now has, in addition to the powers conferred upon such council by the special charter or this act, all and every the powers conferred upon town and village councils by the Municipal Code, in all cases where the same are not incompatible with or contrary to the provisions of such special charter or of the present act.

Inconsistent provisions of town corporations' general clauses act not to prevail.

341. If any articles of the town corporations general clauses act or of the act incorporating the town of Drummondville are inconsistent with this act, the latter shall prevail.

Coming into force.

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

CAP. LXXXVII.

An Act to grant a special charter to the town of Louiseville.

[Assented, to 30th December, 1890.]

Preamble.

WHEREAS the provisions of the Municipal Code no longer meet the requirements of the inhabitants of the town of Louiseville and the corporation of the said town have, by petition, prayed for the granting of a special charter; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

PRELIMINARY TITLE.

TRANSITORY AND OTHER PROVISIONS.

Present mayor and councillors continued in office.

1. The present mayor and councillors of the town of Louiseville shall remain in office until the entry into office of their successors.

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

Present municipal officers continued in office.

3. All *procès-verbaux*, assessment rolls, statements of dues, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, agreements, provisions, engagements or municipal acts whatsoever, passed and agreed to by the council of the said town, shall continue to have full force and effect, until they are cancelled, amended, set aside or accomplished according to law.

Existing *procès-verbaux*, &c., continued in force.

4. All notes, bonds, debentures, obligations and engagements whatsoever, signed, endorsed, accepted, issued or contracted by the said council, up to the coming into force of this act, shall have all their legal effect, notwithstanding the passing of this act.

Notes, &c., signed, obligations contracted, to have legal effect.

5. Wherever in the town corporation's general clauses act (articles 4178 and following of the Revised Statutes of the Province of Quebec) the words "Superior Court" and "prothonotary" appear, they shall respectively be replaced by the words "or Circuit Court in and for the county of Maskinongé at Louiseville" and "or clerk of the Circuit Court in and for the county of Maskinongé at Louiseville, as the case may require."

R. S. Q. art. 4178 *et seq.* amended for Louiseville by adding Circuit Court and clerk of the Court.

TITLE I.

ORGANIZATION OF THE CORPORATION.

SECTION I.

INCORPORATION OF THE TOWN OF LOUISEVILLE.

6. The inhabitants of the town of Louiseville and their successors in office are and shall continue to be a body politic and corporate, under the name of "Louiseville."

Certain inhabitants incorporated. Name.

7. The said town shall continue, as hitherto, to form part of the county of Maskinongé for municipal purposes.

Town to form part of county for municipal purposes.

8. The said corporation shall be subject to the law governing town corporations contained in chapter one of Title XI (articles 4178 and following) of the Revised Statutes of the Province of Quebec, except where this act derogates therefrom or contains provisions inconsistent therewith.

R. S. Q. art. 4178 to govern town.

SECTION II.

GENERAL POWERS OF THE CORPORATION.

Certain additional powers granted.

Seal.

Power to draw, &c., notes, &c., contract, &c.

9. In addition to the powers conferred upon all town corporations by article 4192 of the said Revised Statutes, the said corporation may exercise the following powers :

1. Have a common seal, which it may change or alter at will ;

2. Sign, draw, endorse, transfer, give, accept or receive notes, to order or bearer, bills of exchange, cheques, bonds, obligations, debentures, judgments, securities or other deeds, whether negotiable or not, in the exercise and fulfilment of all the powers and rights conferred upon it by its charter and by law, and of all the duties and obligations which devolve upon it : especially, for the security of loans for the payment and settlement of amounts due to or by it under any act, contract, covenant or agreement for the payment of grants and for other lawful purposes.

SECTION III.

BOUNDARIES OF THE TOWN AND OF ITS WARDS.—ANNEXATION OF TERRITORY.

Boundaries of town.

10. The boundaries of the town shall be those which exist at present.

Division into three wards.

11. The town is divided into three wards, designated as East ward, Centre ward and West ward :

East ward.

1. The East ward is bounded on the north, east and south by the limits of the town, on the west by the centre of St. Aimé and St. Thomas streets, and the line dividing lots numbers 496 and 497 of the registration cadastre on Dorothy street, prolonging the said division line in a straight line to the southern limits of the town.

Centre ward.

2. The Centre ward is bounded on the East by the East ward as above described, on the north and south by the limits of the town, and on the west by the centre of St. Charles street and a straight line perpendicular to the centre of the said St. Charles street prolonged as far the northern limits of the said town, and by the line dividing lots cadastral numbers 652 and 653 on St. Laurent street, 651 and 653 on St. Elizabeth street, 544 and 541 on the said St. Elizabeth street, 543 and 542 on Dorothy street, 512 and 513 on the said Dorothy street, the latter division line prolonged in a straight line to the southern limits of the town.

West ward.

3. The West ward is bounded on the east, west and south by the limits of the town, and on the east by the Centre ward.

12. Upon petition of the majority of the proprietors of any territory adjacent to the territory of the town, addressed to the council, the latter may, by by-law or simple resolution, enact and effect the annexation of such territory to the town so as to form part thereof.

Annexation of adjoining territory how effected.

It may equally annex in the same manner any territory adjacent to that already annexed.

Further annexations.

13. From and after such annexation, the owners of lands comprised in the territories annexed in virtue of the preceding article shall enjoy all the benefits, rights and privileges conferred by this act upon the inhabitants of the town of Louisville, and shall be subject to the same duties and obligations imposed on them by the same act.

Benefits, &c., acquired by owners of lands in annexed territories.

Articles 78 to 92, inclusively, of the Municipal Code apply to the town of Louisville.

Arts. 78 to 92, inclusively, of Municipal Code to apply.

SECTION IV.

THE TOWN COUNCIL.

14. The municipal council of the town of Louisville shall consist of six councillors, two for each ward, and a mayor, elected by the people, in the manner hereinafter indicated.

Composition of council.

Four members shall constitute a quorum.

Quorum.

15. The councillors are elected for three years, saving the case article 4197, of the Revised Statutes of the Province of Quebec, and the exception provided by the following article.

Term of office.

16. At the first general election after the coming into force of this act, the two councillors for the east ward shall be elected for one year only, and the two for the centre ward for two years only.

Term of office of councillors for east and centre ward, first elected.

17. At the first session of the council, following a general election, the councillors shall appoint one of their number as pro-mayor.

Appointment of pro-mayor.

The latter replaces the mayor in case of absence or sickness, and whilst so replacing the mayor he is vested with all his powers.

His duties, &c.

18. Article 4207 of the said Revised Statutes is replaced by the following:

R. S. Q. art. 4207 replaced for town

“ Unless the council otherwise provides, he signs, seals and executes, in the name of the council, all debentures, contracts, agreements or deeds made and passed by the corporation, and the secretary-treasurer countersigns them.”

Signature to debentures, &c.

SECTION V.

OFFICERS OF THE COUNCIL.

§ 1. *The secretary-treasurer.*

R. S. Q. art.
4328 replaced
for town.
Sureties of
secretary-
treasurer.

19. Article 4328 of the said Revised Statutes is replaced by the following :

“ The secretary-treasurer furnishes one or two sureties, whose names must be previously approved by resolution of the council, or a mortgage on his immoveable property or any other to the satisfaction of the council or to the amount fixed by it, or a guarantee policy to the amount fixed by the council in an incorporated company approved by the latter.”

§ 2. *Assessors.*

R. S. Q. art.
4353 replaced
for town.
Property
qualification
of valuers.

20. Article 4353 of the said Revised Statutes is replaced by the following :

“ No person shall be a valuator, unless he, as proprietor, possesses, in the town, either in his own name, or in that of his wife, real estate to the value of four hundred dollars, according to the valuation roll in force.”

SECTION VI.

PERSONS DISQUALIFIED FOR MUNICIPAL OFFICES.

R. S. Q. art.
4216 replaced
for town.
Qualification
of mayor and
councillors.

21. Article 4216 of the said Revised Statutes is replaced by the following :

“ No person can be elected mayor or councillor, or fill either of these offices unless :

1. He be of the male sex, of full age, and a subject of Her Majesty by birth or naturalization ;
2. He can read and write ;
3. He has had his domicile or place of business within the limits of the town, during the year preceding the election ;
4. He has possessed therein, for at least twelve months, as proprietor, in his own name or in that of his wife, real estate of the value of four hundred dollars for the office of councillor and six hundred dollars for that of mayor.”

TITLE II.

MUNICIPAL ELECTIONS.

SECTION I.

DATE OF THE ELECTIONS.

R. S. Q. art.
4229 replaced
for town.

22. Article 4229 of the said Revised Statutes, so far as the town of Louisville is concerned, is replaced by the following :

“ The general elections are held on the second Monday of January, in each year, at the hour of ten in the forenoon, notwithstanding the last paragraph of article 4243 of the said Revised Statutes. Time for holding general elections.

The nomination and polling, if the latter is necessary, take place on the same day for the mayor and councillors for the wards where there are vacancies, notwithstanding articles 4240 and 4241 of the said Revised Statutes.” Nomination and polling to be on same day.

23. Article 4232 of the said Revised Statutes, so far as the town of Louiseville is concerned, is replaced by the following : R. S. Q. art. 4232 replaced for town.

“ Eight days before each general election, the mayor or secretary-treasurer gives public notice announcing the election and indicating the day, hour and place at which it will be held.” Notice of election.

24. The first general election of mayor and councillors, after the coming into force of this act, shall be held within thirty days after the date of its sanction after the notice of eight days required by article 23. When first election to be held.

25. All elections shall be held at the town hall and shall be presided over by one and the same presiding officer, who shall appoint as many election clerks as they are polling places to be held. Where elections are to be held and by whom to be presided over. Appointment of clerks.

SECTION II.

HOLDING OF THE ELECTION.

26. Article 4234 and of the said Revised Statutes does not apply to the town of Louiseville. R. S. Q. art. 4234 not to apply to town.

27. Article 4240 of the said Revised Statutes, so far as the said town is concerned, is replaced by the following : R. S. Q. art. 4240 replaced for town.

“ If, one hour after the opening of the meeting, there have been and remain nominated, for the office of councillors in one or more wards, more persons than there are councillors to be elected therefor, it is the duty of the officer presiding over the election to grant a poll for such ward.” When poll is granted.

28. The last clause of article 4241 of the said Revised Statutes does not apply to the town of Louiseville. R. S. Q. art. 4241, last clause not to apply to town

29. If, however, at any time after the polling has commenced, an hour elapses without any vote being polled, the presiding officer shall close the election unless a sworn notification be given to him that since an hour some voter has been unable to gain access to the poll, owing to violence, in which case the poll is only closed one hour after such violence has ceased. Close of poll in certain event.

R. S. Q. art. 4245 amended for town.

30. Article 4245 of the said Revised Statutes is amended, so far as the said town is concerned, by striking out at the end of the article the words " on the day of the nomination," and by replacing them by the words " as above enacted."

R. S. Q. art. 4243 to 4247, 4248 to 4255 and 4260 to 4269, amended for town.

31. Wherever the words " deputy presiding officer " occur in articles 4243 to 4247, 4248 to 4255 and 4260 to 4269, all these articles included, of the said Revised Statutes, the said words are replaced by the words " presiding officer. "

TITLE III.

POWERS OF THE COUNCIL.

SECTION I.

POWER TO MAKE BY-LAWS.

Additional powers conferred upon town, and council may;

32. In addition to the powers conferred upon town corporations by articles 4358 and following of the said Revised Statutes, the council of the town of Louiseville may by by-law :

Restrict sale of spirituous liquors, &c.

1. Restrict and regulate the sale of all spirituous, vinous, alcoholic or fermented liquors within the limits of the said town, and notwithstanding article 4414 of the said Revised Statutes, and any other provision contrary hereto, fix and collect a sum of not more than one hundred dollars for the granting of each certificate for obtaining a license for a hotel, inn, restaurant, saloon, club or house of public entertainment, in which spirituous, vinous, alcoholic or intoxicating liquors are sold and retailed ; and a sum of from ten to twenty five dollars for granting each certificate for obtaining a liquor shop license for retailing in stores spirituous, vinous, alcoholic or intoxicating liquors in quantities not less than one pint at a time ; the latter sum shall be exigible independently of the business tax mentioned in article 38 ;

Amount to be collected on license certificates for inns.

Same for liquor shop license certificate:

2. Restrict, regulate or prohibit any person from maintaining, keeping or using abattoirs within the limits of the town ;

Cause removal of nuisances, &c.

3. Cause the removal of everything which might endanger public health or safety in the town ;

Cause disturbers of the peace, vagrants, &c., to be arrested and punished.

4. Cause to be arrested and punished every person in the town disturbing the peace, loitering in the streets, swearing, using blasphemous, obscene or insulting language, impeding peaceful people or obstructing passengers ; persons under the influence of liquor, drunkards and those who infringe the by-laws of the town respecting the public peace, order or health ; and have such

persons detained in custody and handed over to the guardian of the gaol or other place of safe-keeping in the town, until they are brought before the mayor or another justice of the peace, to be dealt with according to law.

33. The town council may also :

- 1. Prevent racing or trotting on the bridges and in the streets at a faster rate than that fixed by the by-laws ; Council may ;
Prevent racing, &c ;
- 2. Prohibit the placing of pipes on roofs, and determine in certain cases the materials of which the roofs shall be made ; Prohibit placing of pipes on roofs, &c. ;
- 3. Make by-laws with reference to wood and coal yards and the measuring of wood and coal ; Regulate coal and wood yards, & ;
- 4. Suppress games of strength, skill and hazard or authorize the same by license ; restrict, regulate or prohibit the keeping of public billiard-tables, shows, pigeon-hole tables or other similar establishments ; Suppress games of strength, &c ;
- 5. Regulate the construction of privies, cellars, drains and ovens, as well as the supervision of steam-engines in workshops and factories ; Regulate construction of privies, &c ;
- 6. Prevent filth and dirt from being thrown into the streets, ditches or water-courses or on the sidewalks and order their removal. Prevent filth, &c., from being thrown on streets, &c.

SECTION II.

LOANS.

34. Paragraph 1 of article 4530 of the said Revised Statutes, so far as the said town is concerned, is replaced as follows : R. S. Q. art. 4530 § 1, replaced for town.

“ The council may borrow to an amount equal to thirty per cent of the total value of the taxable real estate of the town.” Power to borrow.

TITLE IV.

TAXES.

SECTION I.

IMPOSITION OF TAXES.

35. For the purpose of levying the moneys required by the town council to meet the expenses of management, to provide for improvements and redeem the obligations of the town, the town council may levy the annual taxes hereinafter set forth, to wit :

- 1. Upon every lot, town lot or part of a lot, with all the buildings thereon erected, if any there be, a sum not exceeding a cent and a half in the dollar on the total value, as shewn on the valuation roll of the town ; Council may levy taxes upon:
Town lots, buildings, &c.

Stocks-in-trade ;

2. Upon all stocks-in-trade or goods kept by merchants or traders, exposed on shelves or kept in cellars or in stores, a tax not exceeding the sum of one per cent on the approximate annual value of each such stocks-in-trade ;

Tenants ;

3. Upon every tenant paying rent in the town, an annual sum of at least one dollar, and not exceeding five cents in the dollar on the amount of the rent when it exceeds twenty dollars per annum ;

Male inhabitants ;

4. Upon every male inhabitant of the age of twenty-one years who is neither a proprietor, an occupant, an apprentice nor servant and who has resided six months in the town, an annual sum of one dollar ;

Dogs.

5. Upon every dog kept by a person residing in the town an annual sum of from twenty five cents to one dollar, exigible from the owner or person in possession of the animal.

Council may also levy taxes not exceeding certain sum upon :

36. It shall also be lawful for the council by by-law to impose and levy certain annual duties or taxes to an amount not exceeding twenty dollars :

Proprietors of theatres, &c. ;

1. Upon all proprietors, possessors, agents, managers and keepers of theatres, menageries, circuses and travelling shows, of billiard saloons, and other places for games and amusements ;

Auctioneers, &c. ;

2. On all auctioneers, bailiffs, barbers, bakers, grocers, butchers, hawkers, hucksters, carters and livery-stable keepers, proprietors or keepers of wood and coal yards, tanneries and slaughter houses ;

Money changers, &c. ;

3. On money changers, exchange brokers, pawnbrokers, and their agents, mercantile clerks and book-keepers, bankers and agents of bankers and banks, insurance, telegraph and telephone companies, or their agents in the town, proprietors of mills moved by steam or water power, photographers, and generally ;

All commerce and callings.

4. On all commerce, trades, arts and manufactures which have been and may be introduced into or exercised in the town, although not mentioned herein.

Amount how fixed.

The amount of the dues or taxes enumerated in this article is determined by the council in its discretion, but it must be in proportion to the amount of business, the extent of the trade or industry of each person liable for such dues or taxes, which may be imposed or levied under the form of permits or licenses if the council so decide by by-law ; and in such case, it is not necessary that the persons liable for such dues be mentioned in the valuation roll.

Proviso.

Certain sum may be levied upon vessels loading and discharging.

37. The council may impose and levy upon all steam-boats or sailing vessels loading or unloading in the waters within the limits of the city, a sum not exceeding four dollars each time.

38. The council may impose and levy upon every person practising in the town as advocate, physician, notary, dentist, surveyor, veterinary surgeon, or practising any other liberal profession, an annual tax not to exceed five dollars.

Annual tax may be levied upon professional men.

39. The council may instruct the valutors to add to the valuation roll a list of the persons and moveable property taxed in virtue of the preceding articles ; and all taxes and sums so imposed shall be exigible in law.

Valutors may be instructed to add to valuation roll the persons and property above mentioned.

40. The council is also empowered to compel every pedlar or person who comes into the town temporarily for the purpose of selling goods from bankrupt stocks, or other goods, merchandize and articles of trade, to take out and pay for a license, not exceeding twenty dollars, for the sale of such merchandize so exposed for sale in the town.

Licenses may be exacted from pedlars, &c.

Amount to be charged limited.

The said license shall be valid for only one year from the date thereof.

Duration of license.

In case a person bound to take out a license, is not provided with one, the amount thereof shall be demanded of him by the secretary-treasurer or any other municipal officer ; and, in default of immediate payment such amount shall be levied without delay by means of a warrant under the hand and seal of the mayor, addressed to a bailiff of the Superior Court, and the merchandize shall be seized upon the very person of the vendor and sold for the payment of such license by such bailiff or any other, according to the rules of procedure followed for the execution of a writ *de bonis* issued by the Circuit Court.

If license not taken, warrant may issue to levy amount by seizure and sale of effects.

Procedure to be followed.

SECTION II.

COLLECTION OF TAXES.

41. Articles 4557 and 4558 of the said Revised Statutes, respecting the sale of immoveables on which taxes are due, do not apply to the town of Louiseville.

Certain articles of the Revised Statutes not to apply.

42. In the month of November in each year, the secretary-treasurer shall prepare, in the manner prescribed by article 371 of the Municipal Code, a statement of the taxes remaining unpaid and shall submit the same to the council.

Annual statement of taxes over due to be prepared by secretary-treasurer and when.

43. The sale of lands for arrears of municipal taxes is held in accordance with the provisions of the articles 998 to 1025 inclusively of the Municipal Code, which apply, *mutatis mutandis*, to the town of Louiseville.

Sale of lands for arrears of taxes how effected.

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

Coming into force.