

second paragraph of article 4234, articles 4238, 4239, 4240, 4414 and of the Revised Statutes of the Province of Quebec are expressly excepted, and shall form no part of the laws governing the corporation of the town of Buckingham, and the other articles of the general act shall be so read as to be consistent with the provisions of this act.

Powers given by act to be supplementary to powers given by R. S. Q., title XI, chaps. 1 and 2.

44. The powers, herein conferred on the said corporation of the town of Buckingham, are, however, to be regarded as supplementary of those given in the Revised Statutes of the Province of Quebec, title XI, chapters first and second.

Coming into force.

45. The present act shall come into force on the day of its sanction.

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CAP. LXXV.

An Act to incorporate the town of Côte St. Louis.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS the corporation of the village of Côte St. Louis has prayed to be incorporated as a town, in accordance with the provisions of chapter first of title eleventh of the Revised Statutes of the Province of Quebec;

Whereas it is in the interest of the rate-payers of the said village that the said petition be granted;

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

TITLE I.

ORGANIZATION OF THE CORPORATION.

SECTION I.

INCORPORATION OF THE TOWN.

Certain territory constituted into a town.

Name.

Name of corporation.

1. The territory comprised within the present limits of the village of Côte St. Louis is constituted a town municipality, under the name of "Côte St. Louis" and the inhabitants of the said village are constituted a town corporation, under the name of the "corporation of the town of Côte St. Louis"

R. S. Q., art. 4178 to 4615 apply if not inconsistent.

2. The corporation of the town of Côte St. Louis, is subject to the law governing town corporations, contained in chapter 1 of title XI (articles 4178 and following) of the

Revised Statutes of the Province of Québec, except where the present act may derogate therefrom or be inconsistent therewith.

3. All *procès-verbaux*, assessment rolls, titles, assets, accounts, 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 village, shall continue to have full force and effect until they are cancelled, amended, repealed or fulfilled.

Existing *procès-verbaux*, etc., of village continued, etc.

4. All notes, bonds, debentures, obligations and engagements whatsoever, subscribed, 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, etc., to have their legal effect.

5. The municipality of the town of Côte St. Louis may annex itself to the city of Montreal, and the annexation shall be effected in the manner prescribed by the charter of the city of Montreal 1889, (52 Vict., chap. 79).

Annexation to city of Montreal provided for. To be effected under 52 V., c. 72.

SECTION II.

COUNCIL OF THE CORPORATION.

6. The council, as constituted by this act, is substituted, for all purposes whatsoever, to the corporation of the village of Côte St. Louis, and succeeds to it in all its rights, powers, privileges, claims and obligations.

Council under this act to be substituted to corporation of village.

However, the council of the said village shall remain in office and exercise all the powers conferred by this act upon the council of Côte St. Louis until the first sitting of the council, which shall be elected or appointed under this act.

Village council to continue until first sitting of council under this act.

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

Present municipal officers continued in office.

8. The town shall be divided into three wards, as follows, to wit :

Dividing town into wards.

The first ward shall comprise all electors upon real estate situated in Mount Royal Avenue to the limits of the parish of St. Laurent, from the limits of the municipality of St. Louis du Mile End to the centre of Rivard street.

First ward ;

The second ward, from Mount Royal Avenue to the limits of the parish of St. Laurent, from the south side of Rivard street to the depth of the lots on Berry street and the centre of Carrières street.

Second ward

Third ward The third ward, from Mount Royal Avenue to the limits of the parish of St. Laurent, from St. Etienne street inclusively to Papineau road.

Alteration of wards. The said wards cannot be altered except by the affirmative vote of at least five councillors.

List of municipal electors to be prepared in October. **9.** In the month of October in each year, the secretary-treasurer shall make out, for each ward, an alphabetical list of the persons who appear, by the valuation roll, to be municipal electors.

Qualification of electors to vote. No elector can vote unless he has paid his taxes on or before the fifteenth day of July for the next general election, and on or before the twentieth of December in each year for all subsequent elections.

Composition of council. **10.** The municipal council of the town shall consist of a mayor and nine councillors, elected as hereinafter prescribed.

Councillors for each ward. There shall be three councillors for each ward.

Quorum of council. **11.** The quorum of the council is five councillors.

Term of office of mayor and councillors. **12.** The mayor is elected for one year and the councillors for three years.

When first election under act to be held. **13.** The first general election of the town council shall be held on the second Monday of the month of August next, and the voting, if any, the third Monday of the said month of August.

If day fixed be a holiday. If such day is a holiday, the election shall be held on the next following juridical day.

Election to be by ballot. **14.** The municipal elections of the town for mayor and councillors shall be by ballot; and the principles of the Quebec Election Act, as set forth in articles 283 to 416, inclusively, of the Revised Statutes of the Province of Quebec, as well as the forms therein referred to, with the changes and modifications effected thereto by articles 55, 56, 57, 58, 59, inclusively, of the charter of the city of Montreal, with their forms, shall apply to the said elections.

R. S. Q., art. 283 to 416 to apply, and 51 V., c. 79, ss. 55 to 59 also. Proviso as to application of R. S. Q., Title XI, c. 1. Two-thirds of the members of the council may, however, by by-law or resolution, decide that the elections subsequent to the first elections be held as provided for in the act respecting town corporations.

One councillor to retire for each ward afterwards. **15.** One councillor for each ward shall go out of office at each of the general elections subsequent to the first general election.

Lots to be drawn to as certain coun- **16.** Lots shall be drawn, in the manner prescribed by the council, to decide who shall be the councillors to go out

of office at the first election after the first general election.

clerks to retire at first election after first general.

17. The first session of the town council shall be held in one of the rooms of the town-hall on the Wednesday following the close of the general election.

When and where first session of town council to be held.

18. The secretary-treasurer may, for and in the name of the corporation, answer all interrogatories upon articulated facts served upon the corporation, and the assistant-secretary-treasurer appointed by the council shall have power to make the declaration, required by law, for and in the name of the corporation as garnishee, without being authorized by a resolution of the town council for that purpose.

Secretary-treasurer to answer interrogatories on articulated facts and assistant to make declarations as garnishee.

TITLE II.

POWERS OF THE COUNCIL.

SECTION I.

POWER TO PASS BY-LAWS.

19. Notwithstanding article 4414 of the Revised Statutes of the Province of Québec, the town council may fix a sum not exceeding one hundred dollars, payable for the granting of a certificate for obtaining a license for the sale of spirituous, vinous, alcoholic and intoxicating liquors.

Certain sum may be charged for license certificate, notwithstanding R. S. Q., art. 4414.

20. The town council may, by by-law :

Power to make by-laws as to : Slaughter-houses ;

1. Limit the number of public or private slaughter-houses in the town, or prohibit them altogether ;

2. Order that the transporting of all things which are dangerous or injurious to public health and safety be effected at certain hours of the night and through certain streets of the town ;

Transport of dangerous articles, etc ;

3. Prevent sheds, stables, closets or other similar buildings being erected on any lot in the town, at a distance less than thirty feet from the street, and, upon indemnifying the proprietors, to cause all existing buildings to be removed, if they be not erected at such distance ;

Construction of sheds, etc ;

4. Prevent dealers in lumber, oil, fluids, hay, straw, and all other inflammable materials, from carrying on their business without the authorization of the council ; prevent the storing of any such inflammable materials in any buildings contrary to the provisions of the by-laws which may be passed in that respect ;

Dealers in lumber, etc ;

Storage of inflammable materials ;

5. Fix and determine the alignment of buildings on streets, roads and avenues ; and regulate the manner to be

Alignment of streets and buildings ;

- Materials of buildings ; followed in and the materials to be used in the erection or repair of buildings with a view of protecting them, as well as the persons living therein, against any accident by fire, with power to hold the owner, builder or person in possession of the said buildings responsible for any breach of the said by-laws ;
- Expropriation of lands, etc ; 6. Expropriate, in the manner required by law, the buildings and the land upon which buildings and houses are at present erected which are not in accordance with the by-laws which may be passed in virtue of the preceding provisions of paragraph 5 ;
- Licensing of carters ; 7. Compel every carter to take out a license from the corporation for the purpose of pursuing his occupation in the municipality and prevent him from so pursuing his occupation without such license ;
- Duration of license ; Such license cannot be granted for a longer period than twelve months ;
- Price thereof ; The price of such license shall not exceed forty dollars for persons residing in the town, and one hundred dollars for those who do not reside in it ; and the council may establish a scale according to the kind of vehicle ;
- Rights conferred thereby ; Every licensed carter or common carrier may transport goods out of the town or bring persons who come from any municipality constituted under any act, without paying a license or municipal tax on account of such transporting in any other municipality ;
- Further rights ; Every carter may also, without being compelled to take out any other license or to pay any other tax, transport goods or passengers from the town to the municipality in which he has obtained his license ;
- Licensing drivers of public and private vehicles ; 8. Authorize the granting of licenses to owners and drivers of public or private vehicles ; compel them to take out an annual license, and regulate everything concerning such carters and their vehicles ;
- Regulating wheeled vehicles, etc ; 9. Regulate the dimensions of the wheels of vehicles of carters or common carriers, whether such carters have obtained their licenses in the town or in the adjoining municipalities, and prevent wheeled traffic not in accordance with the requirements of the by-laws ;
- Water supply ; 10. Provide for the supply and consumption of water ; and, for that purpose, enter into agreements with any company or adjoining municipality ;
- Fencing dangerous property ; 11. Order proprietors, tenants or occupants of quarries to fence in and guard any quarry which may be dangerous to the public safety ;
- Markets and market places ; 12. Erect, change, abolish or maintain public markets and market places ; regulate the leasing of stalls or other places in or around the market for selling or exposing for sale all kinds of articles or produce or any articles in particular, and prohibit private stalls and the selling of fresh meat or fish outside of the market ;

13. Prohibit the trade of fortune telling and the use of any subtle artifice, means or divination by palmistry or otherwise with a view of deceiving Her Majesty's subjects and imposing upon them.

Fortune telling, etc ;

SECTION II.

MISCELLANEOUS POWERS.

21. The town council may make any agreements with the Montreal Turnpike Trustees or any other turnpike road companies, in connection with the maintenance of the roads now under the control of such trustees or companies, or for the purpose of acquiring and maintaining the same at its own expense, or for the purpose of farming out the same or changing the direction or location thereof.

Council may make agreements respecting certain roads.

22. The council may, by by-law, convert, in such manner as it may deem expedient, all the debts and obligations now due by the village of Côte St. Louis, and redeem the same by the issue of bonds or debentures, subject to the approval of the electors in the ordinary manner required for loans.

Conversion of debt.

23. The council may cause plans of the town to be prepared, and have the surveys thereof made by a provincial land surveyor, on a scale of not less than four inches to the mile.

Plans of town.

When the general plan of the town shall have been made by order of the council, which plan shall indicate the various streets or squares of the town, and such plan shall have been homologated by the council and by one of the judges of the Superior Court for the district of Montreal, no one shall erect any building whatsoever within the line of such streets or squares.

What to contain.

Building after plan has been homologated.

The council may cause any building erected in contravention of the provisions of this article to be demolished, and the person contravening shall have no claim for compensation on account of the expropriation which may be necessary for the land required for the alignment of such streets or squares.

Demolishing of buildings erected in contravention of article.

SECTION III.

EXECUTION OF THE BY-LAWS.

24. Every constable or police officer of the municipal-ity may, without being required by the chief or by a member of the council or by the council itself, arrest on view any person found guilty of a contravention of the provisions of any municipal by-law punishable by a fine,

Power of constables to make arrests on view.

if so ordained by the by-law, and take such person before a justice of the peace or the recorder, to be dealt with according to law.

TITLE III.

TAXES.

SECTION I.

LEVYING OF TAXES.

Power of council to levy taxes for certain purposes upon:

Town lots and buildings;

Tenants;

Dogs.

Council may levy taxes, not to exceed certain sum; upon: Proprietors etc., of public houses;

Tax not exceeding certain sum upon: Proprietors etc., of theatres, etc.

25. 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 council may levy the following annual taxes:

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 in the dollar on the total value, as shewn on the valuation roll of the town;

2. 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;

3. Upon every dog kept by a person residing in the town, an annual sum not exceeding three dollars exigible from the owner or person harbouring the animal.

26. The council may also, by by-law, determine, impose and levy certain annual dues and taxes not exceeding two hundred dollars:

Upon every proprietor or occupant of a house of public entertainment, private boarding-house, inn, coffee-house and restaurant; upon every retailer of spirituous, vinous or fermented liquors; and

A tax not exceeding one hundred dollars determined and apportioned according to the occupation, trade, business, industry, kind of business or profession, according to the amount of business or professional revenue of the persons or companies hereinafter mentioned, to wit:

Upon every proprietor, possessor, agent and manager of theatres, circuses, billiards, bowling-alleys and all other games and amusements of any kind whatsoever; upon every auctioneer, grocer, baker, butcher, hawker, huckster carter, livery-stable keeper, brewer, distiller and bottler; upon every trader, and proprietor or occupant of stone yards or ice-house or ice, manufacturer and their agents; upon every proprietor or keeper of coal or wood yard and slaughter-house; upon every broker, exchange broker, and pawnbroker or their agents; upon every banker, bank and bank agent; upon

all insurance companies and their agents ; upon all commission merchants and their employees ; upon all telegraph and telephone companies and their agents or operators ; upon all manufacturers of ginger beer, spruce-beer, and root-beer and their agents ; upon all brick manufacturers, lumber merchants, proprietors or occupants of mills driven by water, or steam power, and tanneries ; upon all heavy scales ; upon all bailiffs and druggists residing in the town ; and generally upon all commerce, industries, occupations, arts, trades and professions carried on or followed by all persons, firms or companies, railway companies excepted, either on their own account or as agents for others, and upon the premises in or upon which they are or may be carried on or followed.

27. The council may instruct the assessors to add to the valuation roll a list of the persons and moveable property taxed under the preceding articles.

List of taxable persons and property to be made by assessors.

SECTION II.

COLLECTION OF TAXES.

§ 1.—*Mode of collection.*

28. The taxes are collected in the manner set forth in articles 4538 to 4556, inclusively, of the Revised Statutes of the Province of Quebec.

Collection of taxes effected under R. S. Q., art. 4538 to 4556.

§ 2.—*Special provisions respecting the sale of immoveables liable for taxes.*

29. The sale of immoveables liable for taxes is effected in accordance with the provisions of this sub-section, which are substituted for articles 4557 and 4558 of the Revised Statutes of the Province of Quebec.

Sale of immoveables for taxes to be effected under this sub-section in lieu of R. S. Q., art. 4557 to 4558.

30. The secretary-treasurer shall prepare, before the twentieth day of January in each year, a list giving :

List to be prepared by secretary-treasurer.

1. The description of all the lots of land situate in the town on which municipal or school taxes are due, with the names of the proprietors, as shewn on the valuation roll ;

Description of lots in arrears for taxes.

2. The amount of the taxes on each lot opposite the description of the same.

Amount due.

31. This list is accompanied by a public notice, stating that the lots will be sold by public auction at the town-hall on the first Monday of the month of March following, at the hour of ten in the morning, in default of payment of the taxes due upon them and the costs incurred.

Public notice and what to contain.

Publication of list and notice.

32. The list and notice accompanying the same shall be published once in the Quebec Official Gazette and twice in one or more newspapers of the city of Montreal or of the town of Côte St. Louis, if any there be, one in French and the other in English during the course of the month of February.

Proceedings at sale.

33. At the date fixed for the sale, the secretary-treasurer himself or by another person sells such of the lots described in the list on which taxes are still due, after stating the amount to be levied upon each of them, including the share of the costs incurred by the sale, in proportion to the amount of the debt.

Adjudication of lots.

34. Whosoever then offers to pay the amount of money to be levied, including costs, for the said lot or for the least undivided portion of the lot, becomes the purchaser thereof, and the lot or the undivided portion of the same is at once adjudged to him by the secretary-treasurer.

Certain articles of Municipal Code to apply.

35. Articles 1001*a*, 1002, 1003, 1004, 1005, 1006, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1020 and 1021 of the Municipal Code are incorporated with this act in so far as they may apply.

Redemption of lands sold how effected.

36. The owner of every lot sold under the foregoing provisions may redeem the same within the two years following the date of the sale, by paying to the secretary-treasurer the amount expended for the purchase, including the certificate of sale and notice to the registrar, with interest at the rate of fifteen per cent per annum, every fraction of a year being counted as a whole year.

Who may redeem for proprietor.

37. Any person, whether authorized or not, may redeem such lot of land in the same manner and within the same delay, but only in the name and for the benefit of the person who was the owner thereof at the time of the adjudication.

Receipt in such case.

38. When such redemption is effected, by a person not specially authorized, the secretary-treasurer, in the discharge which he gives in duplicate, mentions the name, the quality and domicile of the person effecting such redemption.

Effect of registration of such receipt.

39. Notwithstanding articles 1994 and 2009 of the Civil Code, such discharge, after being registered in the proper office, gives the person mentioned therein the right to be repaid the sum paid by him, with interest at eight per cent, and gives him a privileged hypothec on the lot in question, ranking after the municipal taxes, for the repayment of the moneys.

40. The purchaser may have himself reimbursed by the proprietor, or the person who redeems the property in his name, for the cost of all useful repairs and improvements made by him to the lot redeemed, unless he removes the same, as well as the amount of the taxes paid for the public or municipal works executed in connection with the lot, with interest at the rate of fifteen per cent per annum, every fraction of a year being counted as a whole year after the first year.

Right of purchaser to certain expenditure.

41. The claim of the purchaser is privileged upon the lot in question.

Claim privileged.

42. The purchaser may retain possession of the land redeemed until his claim is paid.

Land may be retained until claim paid.

43. If, during the two years following the date of the sale, the land so sold is not redeemed, the purchaser remains the irrevocable owner thereof.

If land not redeemed.

44. The action to set aside a sale of a lot of land, effected under the above provisions, or the right to invoke the illegality thereof, either of the persons whose land has been sold, or of third parties who might claim to be the owners thereof, is prescribed by two years from the date of the sale.

Prescription of action to set aside sale.

TITLE IV.

COMING INTO FORCE OF THIS ACT.

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

Coming into force.

CAP. LXXVI.

An Act to incorporate the town of Côte Saint Antoine.

[Assented to 2^d April, 1890.]

WHEREAS the corporation of the village of Côte Saint Antoine has prayed to be incorporated as a town, under the provisions of chapter first of title eleventh of the Revised Statutes of the Province of Quebec, respecting town corporations;

Preamble.

Whereas for the advantage and welfare of the said village it is expedient to grant such prayer;

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