

**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<sup>d</sup> April, 1890.]

**W**HEREAS 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:

## TITLE I.

## ORGANIZATION OF THE CORPORATION.

## SECTION I.

## INCORPORATION OF THE TOWN.—GENERAL AND TEMPORARY PROVISIONS.

- 1.** The territory comprised within the boundaries of the present village of Côte Saint Antoine, and the inhabitants of the said village municipality, hereby constitute, and shall constitute a town corporation, under the name of "The corporation of the town of Côte Saint Antoine," and under the provisions of chapter first of title eleventh of the Revised Statutes of the Province of Quebec, respecting town corporations, hereinafter referred to and known as the general act, and all the articles of the said chapter, shall apply to the town of Côte Saint Antoine, hereby incorporated, and shall form part of this act, as if incorporated therein; with the exception of articles 4194, 4195, 4231, 4234, 4238, 4241, 4244, 4245, 4246, 4247, 4248, 4414, 4452, 4529, 4530 and 4536, which shall only apply to the town of Côte Saint Antoine, as hereinafter provided, and of articles 4486, 4487 and 4565 when expressly excepted as is hereinafter mentioned.
- 2.** The said corporation of the town of Côte Saint Antoine succeeds to all the rights and obligations of the village of Côte Saint Antoine. Until the first session of the council of the town of Côte Saint Antoine the council and municipal officers of the village shall be the council and officers of the said town.
- 3.** All the by-laws, resolutions and acts and valuation and assessment rolls, reports of commissioners and acts of the council of the village of Côte Saint Antoine, shall remain in force until they are repealed or amended by the council of the town of Côte Saint Antoine.
- 4.** The corporate seat of the corporation of the town of Côte Saint Antoine shall be within the limits of the said town, but the office of the said council may be in the city of Montreal, and special meetings of the council thereof may be held at the office of the said corporation in the city of Montreal.
- 5.** The first election of members of the council of the town of Côte Saint Antoine shall be held at the place where the sessions of the council of the village of Côte Saint Antoine have been heretofore held, and shall take place on the second Monday of January next at nine o'clock
- Territory erected into a town.
- Name of corporation.
- Town corporations' act to apply.
- Exception.
- Corporation of town to succeed to that of village.
- Present municipal officers, etc., to continue in office.
- Present by-laws, etc., of village remain in force.
- Corporate seat.
- Office may be in Montreal. Special meetings may be held there.
- Where first elections shall be held.
- When to be held.

in the forenoon, and shall be presided over by the secretary-treasurer of the village of Côte Saint Antoine, maintained in office as above, or, in his absence, by a person named by the majority of the electors present.

By whom presided over.

Nominations for this election must be made in writing, signed by at least five municipal electors and deposited with the presiding officer before the opening of the poll.

Nominations, how and by whom to be made.

The valuation rolls in force on the first day of January last shall remain in force until a new valuation roll shall be made, and the said rolls, as they existed on the day aforesaid, shall be proof of the qualification of electors for the first general election of councillors.

Certain valuation rolls to remain in force.

To be proof of qualification of electors for first election.

SECTION II.

THE TOWN COUNCIL.

§ 1.—The Councillors, etc.

6. The council of the town shall be composed of twelve councillors, who shall be elected for three years, except in the case provided by article 4197 of the general act, but four must be replaced at the time of the general election of the town following the first election provided by article 5, four more at the same time in the year that follows and so on in such a manner that four shall be appointed and elected for each subsequent year.

Composition of council. Term of office. Replacing of councillors.

7. The councillors, who are to retire at the first and second general elections after the first, shall be chosen by lot at the session of the council previous to the general election in the month of December preceding; and, in default, the retiring councillors shall be chosen by lot, by the presiding officer of the election in the presence of the municipal electors immediately after the opening of the meeting.

Councillors to retire at first and second election to be chosen by lot.

8. At the first session after any general elections of councillors, the members of the council must appoint as mayor any one of the councillors possessing the necessary qualifications.

Appointment of mayor.

9. The quorum of the council shall be a majority of its members.

Quorum of council.

Articles 4194 and 4195 of the general act shall not apply to the town of Côte Saint Antoine.

R. S. Q., art. 4194 and 4195 not to apply.

10. Articles 4231, 4234, 4238, 4241, 4244, 4245, 4246, 4247, and 4248 of the general act shall not apply to the town hereby incorporated, in so far as they affect the election of mayor only.

R. S. Q., art. 4231, 4234, 4238, 4241, 4244 to 4248 not to apply to election of mayor.

First meeting,  
where to be  
held.

**11.** The first meeting of the town council shall be held at the ordinary place of meeting of the council of the village of Côte Saint Antoine.

Seal.

**12.** The said corporation of the town of Côte Saint Antoine may have a seal, and alter and change the same at will.

§ 2.—*Special powers of the council.*

Power of  
council by  
by-law to:  
Restrain, etc.,  
sale of spiri-  
tuous liquors;

**13.** The municipal council of the said town shall have power, by by-law :

1. To restrain and regulate the sale of any malt, spirituous, vinous, alcoholic, or intoxicating liquors within the limits of the said town, and to fix a sum not more than one hundred dollars for the granting of each certificate to obtain a license authorizing the sale of the same in the town ;

Restrain, etc.,  
slaughter-  
houses ;

2. To restrain, regulate, or prohibit any person from maintaining, using, or keeping a slaughter-house in the town ;

Abate nui-  
sances, etc. ;

3. To abate any public nuisance therein, endangering the lives, health or safety of the public ;

Cause arrest  
of offenders  
against pub-  
lic peace.

4. To cause the arrest on view and punishment of all persons in the said 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, and any person or persons breaking any by-law of the town, respecting the public order, peace or health thereof ;

Regulate  
width, etc., of  
streets, etc. ;

5. To regulate the width of streets, in accordance with the general laws of the Province, and to establish or alter the level or grade of any roadway or sidewalk in any street ;

Fix building  
lines, etc., on  
streets, and  
regulate ma-  
terials, etc.,  
to be used in  
buildings, etc.

6. To fix and determine building lines on streets, roads and avenues, and to regulate the mode to be followed, and the material to be used in the erection or repair of buildings, with a view to security against fire, and the safety of the occupants, with power to hold the proprietor, builder, or person in possession of said building responsible for any contravention of said by-laws ;

Close streets,  
etc., and sell  
land thereof,  
etc. ;

7. To close any street or section of a street or public square, and sell the land for the benefit of the town, provided always if any person suffers damage thereby he receives compensation to be settled by arbitration ;

Have streets,  
etc., watered,  
etc. ;

8. To have the streets and sidewalks swept, watered and kept in good order ; and to have the snow removed therefrom at the expense of the corporation ;

Compel tele-  
graph, etc.,  
companies

9. To compel telegraph, telephone or electric light companies to put under ground their wires which are

within the limits of the town, as soon as the subways shall be built. to put wires under ground;

It may likewise pass a by-law for the purpose of defining and prescribing the method by which electricity shall be supplied and applied for lighting, and the intensity and strength of the currents and the insulation of the wires; Define method, etc., of supplying electricity, etc., for lighting, etc.;

And it may, generally adopt any measure required for protecting the lives and property of citizens, amongst others, to construct or cause to be constructed conduits or under ground tubes in the streets and lanes of the city, for receiving the telegraph, telephone and electric wires of the various telegraph, telephone and electric light companies and other similar companies, in consideration of such yearly remuneration as the council may agree upon with the consent of the said companies, or, in default of such agreement, the remuneration shall be determined by arbitrators, one to be appointed by the town and the other by such companies and in the event of their differing in opinion, such experts shall appoint a third arbitrator; finally if they cannot agree upon the choice of such third arbitrator, the Superior Court shall appoint one. Protect lives of citizens; Cause conduits, etc., to be constructed for wires, etc., agree as to compensation to be paid by telegraph, etc., companies therefor; Arbitration in default of agreement;

10. To raise, by assessment, money sufficient to make or repair one or more common sewers in any street of the town, from all the owners of lands situate in such streets, or from such owners as may be declared interested in and benefited by such works; to determine the mode of making such sewers and the manner of collecting such taxes; Raise money by assessment for making common sewers, etc.;

11. To regulate the time when private drains may be made, as also the manner and material with which the same may be constructed, the corporation making the same from the line of the street to the common sewer, and to assess the cost of the same on the owners of such property. Regulate, etc., making of private drains.

14. Articles 4414 and 4452 of the general act shall not apply to the town of Côte Saint Antoine. R. S. Q. art., 4414 and 4452 not to apply.

### § 3.—Loans.

15. Article 4529 of the general act is replaced by the following: R. S. Q., art. 4529 replaced for town.

“Town loans, whether by the issue of debentures or otherwise, shall only be made on a by-law of the council to that effect, approved by a majority in number and in real value of the proprietors, who are municipal electors, and who, at the time fixed, actually cast their votes for or against such by-law; but, if one hour shall elapse after the opening of the meeting held for the approval or disapproval of the said by-law without a demand for a vote, the by-law respecting such loans shall be deemed as approved.” How town loans are to be effected and approval of by-law, etc., therefor.

R. S. Q., art. 4530 replaced for town.  
New loans not be contracted in certain event unless specially authorized by Lieutenant-Governor and approved by real estate owners.

**16.** Article 4530 of the general act is replaced by the following:

“When the interest and the sinking fund of the sums borrowed by the corporation shall absorb half the revenue of the town, the council shall not, in any case, contract a new loan without having been specially authorized thereto by the Lieutenant-Governor in Council, and, moreover, without having obtained the approval of the majority in number and in real value of the proprietors who are municipal electors, and who, at the time fixed, actually cast their votes for or against such by-law; but, if one hour shall elapse after the opening of the meeting held for the approval or disapproval of the said by-law without a demand for a vote, the by-law respecting such loans shall be deemed as approved.

Special tax for payment of interest to be levied by such by-law.

Any by-law authorizing a loan by virtue of this section shall levy a special annual tax which shall be sufficient for the payment of the interest for each year, and of one per cent per annum, at least, as sinking fund, until the debt is extinguished.”

#### § 4.—*Voting on Loans.*

R. S. Q., art. 4536 replaced for town.  
Counting of votes after the close of election and statement to be laid before council.

**17.** Article 4536 of the general act is replaced by the following:

“At the close of the poll, the mayor shall count the “yeas” and the “nays”, and within the four days following he shall lay before the council the result of the voting, together with a statement showing the value of the taxable real estate of each of the voters, according to the valuation roll in force.

Certificate shewing whether majority in number and value approved, etc., of by-law.  
Certificate, if no poll demanded.

A certificate shall be given under the hand of the mayor and of the secretary-treasurer for the information of the council, shewing whether the majority in number and taxable real value who have voted, approved or disapproved of such by-law.

If no poll or vote has been demanded, a certificate to that effect shall be given under the hand of the mayor and secretary-treasurer.

Poll books to be laid before council.

If the council desire to examine the poll books, they shall be forthwith laid before it.

Casting vote of mayor

In the case of an equal division of votes, the mayor shall give his casting vote.”

#### SECTION III.

##### PREVIOUS ACTS IN FORCE.

#### § 1.—*Certain changes.*

42-43 Vict. c. 43, to apply to act with

**18.** The provisions of the act 42-43 Vict., chap. 43, shall remain in force and be applicable to the present act,

subject however to the amendments contained in the act 48 Vict., chap. 73, and also subject to such changes and modifications as may be contained in the present act. amendments of 48 Vict., c. 73, and of this act.

**19.** The provisions of 48 Vict., chap. 73, shall also remain in force and be applicable to the present act, with the exceptions of the sections thereof hereinafter mentioned which are repealed or amended, as hereinafter set forth, to wit : 48 Vict., c. 73, also to apply subject to amendments by this act.

**20.** Section 2 of the last mentioned act (48 Vict., chap. 73) is repealed. 48 Vict., c. 73, s. 2, repealed.

**21.** Section 3 of the said last mentioned act is hereby repealed. 48 Vict., c. 73, s. 3, repealed.

**22.** Section 4 of the said last mentioned act is replaced by the following : 48 Vict., c. 73, s. 4, repealed.

§ 2.—*By-laws for improvement.*

" 4. The council may, from time to time, make, amend and repeal by-laws to raise, by special assessment or assessments, money sufficient to open, widen, prolong or alter, macadamize, grade or level, or otherwise make or pave any street, road, avenue, boulevard, lane, or alley, public way or place, or any section or sections thereof, in the town of Côte Saint Antoine, and to acquire and lay water pipes therein, and construct hydrants thereon, as may be necessary to supply the inhabitants with water, and as a protection against fire, and to make, enlarge and prolong any common sewer or drain therein, and to construct such bridge or bridges therein as may be necessary, and to fence in such streets, roads, avenues, boulevards, lanes, or alleys, public ways or places, or any section or sections thereof, and to make, carry out, and complete such work or works, unless, within thirty days from the date of the promulgation of such by-law, a petition to the contrary be presented to the council, signed by such number of proprietors, tutors, administrators, guardians, curators, institutes under substitutions, trustees, and the like, as are seized, possessed or interested in or as own more than one half of the aggregate frontage of any of the said streets, roads, avenues, boulevards, lanes or alleys, public ways, or places, or any section or sections thereof. Power of council to make by-laws to levy money to open, widen, etc., streets, etc., lay water pipes, hydrants, build bridges, make fences, etc.

A notice, stating in general terms the purpose of the said by-law, and the delay for contesting the same, shall be inserted within one week from the passing thereof and for a period of at least ten days in one or more daily newspapers published in the city of Montreal." Notice of by-law to be published giving delay for contesting same.

§ 3.—*Petition against by-laws.*

48 Vict., c. 73,  
s. 5, replaced.

**23.** Section 5 of the last mentioned act is replaced by the following :

Special taxes  
may be  
levied to pay  
for improve-  
ments.

“ 5. The council may lay, levy, and raise such special assessment or assessments to pay for the said improvements or any or all of them, unless prevented by a petition presented to the council, signed by the majority of the proprietors or others interested, as in the next preceding section mentioned ; may determine the mode, method, and manner in which the said improvement or improvements are to be made and carried out, and the manner of laying levying, and collecting such special assessment or assessments.”

48 Vict., c. 73,  
s. 6, replaced.

**24.** Section 6 of the said last mentioned act is replaced by the following :

Council may  
acquire, etc.,  
and lay water  
pipes.

“ 6. The council may acquire, make and lay or cause to be made and laid all such water pipes, hydrants, drains and sewers, and do or cause to be done all such other works as may be necessary to that end.”

§ 4.—*Commissioners for special assessments.*

48 Vict., c. 73,  
s. 9, replaced.

**25.** Section 9 of the said last mentioned act is replaced by the following :

Proceedings  
if improve-  
ments de-  
clared by  
council to be  
more than  
ocal.

“ 9. In the event of the council, by a resolution, declaring that any such improvement or improvements are more than local, and that a proportional part of the cost thereof should be borne and paid for by the properties interested in and benefited by such improvement other than the properties situate and fronting on the said street, road, avenue, boulevard, lane or alley, public way or place, or section or sections thereof, it may, by a petition, to be addressed to any of the judges of the Superior Court at Montreal, cause to be appointed three competent, disinterested commissioners ; but public notice shall be given in the ordinary manner by the secretary-treasurer, at least ten days before the presentation of such petition.

Appointment  
of commis-  
sioners in  
such case.

Notice to  
be given.

If any com-  
missioner  
dies.

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

48 Vict., c. 73,  
s. 10, re-  
laced.

**26.** Section 10 of the last named act is replaced by the following :

" 10. The commissioners shall decide and determine who are the parties interested in, and to be specially assessed for the purposes of the proposed improvements, and decide in what proportion the costs of the said improvements shall be distributed over such area of territory and borne by the proprietors thereof.

Commissioners to decide who are interested.

" The said commissioners may also determine the price or compensation of all the immoveable property, including buildings thereon, required for any improvement which the council may order by by-law to be made, at one and the same time ; and, in so determining, the said commissioners shall follow the procedure laid down by the general act concerning expropriations for municipal purposes, but article 4565 of the general act shall not apply to such proceedings."

Commissioners to determine compensation to be paid.

Procedure to be followed by them.

R. S. Q., art. 4565 not to apply.

**27.** Section 12 of the said last mentioned act is replaced by the following :

48 V., c. 73, s. 12 replaced.

" 12 The commissioners shall proceed, at the time and place fixed by them, and of which they shall have given at least ten days' public notice."

When commissioners to proceed.

#### § 5.—*Loans for improvements.*

**28.** Section 21 of the said last mentioned act is replaced by the following :

48 V., c. 73, s. 21 replaced.

" 21. The powers conferred on the corporation respecting loans shall apply to all the purposes mentioned in this act, and the corporation may, from time to time, contract such loan or loans as may be necessary to pay for the improvements made and carried out under the provisions of this act ; but any by-law authorizing any loan, as aforesaid, shall provide, from and out of the revenues of the corporation, an annual tax sufficient for the payment of interest in each year and of one per cent per annum at least of a sinking fund, until the debt is extinguished.

Certain powers respecting loan to apply to all purposes.

Articles 4486 and 4487 of the general act shall not apply to any of such loans."

R. S. Q., art. 4486 and 4487 not to apply.

#### § 6.—*Pavement of streets.*

**29.** Section 37 of the said last mentioned act is replaced by the following :

48 V., c. 73 s. 37 replaced.

" 37. The council may, by by-law or by-laws, if it deem expedient, cause any boulevard or boulevards, street or streets, or any section thereof, laid down on the plan of the municipality, made under the provisions of the act 40 Vict., chap. 39, as confirmed and ratified by the Superior Court, on the sixteenth day of June, eighteen hundred and eighty, to be opened, macadamized or otherwise paved."

Council may cause certain streets, etc., to be open and macadamized.

48 V., c. 73, s. 40 repealed.

**30.** Section 40 of the said act 48 Vict., chap. 73, is hereby repealed.

## SECTION IV.

## REMEDIES FOR INFORMALITIES.

§ 1.—*Errors in reports or assessment rolls.*

Rectification of errors, etc., in proceedings in expropriation, etc.

**31.** In case there should, at the passing of this act or thereafter, exist any clerical error, omission or informality in any proceedings in expropriation or in the making out of any reports of commissioners, or of any roll of assessments prepared in respect of the cost of any improvement, whether such error, omission or informality be committed by the commissioners or any of them, or by those who are by law entrusted with such proceedings, the Superior Court or any judge thereof, may, upon petition to that effect, permit in its discretion the rectification of such error, omission, or informality upon such condition as to costs as the court or judge may order.

New report to be made if roll of assessment set aside.

**32.** When any roll of assessment, or report made by commissioners to defray the cost of any improvement is annulled by competent authority, the town may cause a new report to be made by commissioners appointed as hereinbefore provided with regard to commissioners; and all the provisions of law, with respect to the making of any such report or assessment and to all matters incidental thereto, shall apply to such report or assessment; provided always that proceedings for the making of any new report or assessment, or apportionment shall be commenced within six months from the date of the annulment of the previous report or roll.

Proviso as to when proceedings to be commenced.

New special assessment roll to be made if any special roll annulled.

**33.** If any special assessment roll is annulled by competent authority, the secretary-treasurer shall make another special assessment roll, for the same purpose, in the manner by law provided, and the same when, completed, according to the formalities prescribed, shall have full force and effect.

Proviso as to change of ownership in cases of assessment roll being annulled and new one made.

**34.** If, for the purpose of any improvement, any immoveable property is charged with any special assessment by any report or special assessment roll which is subsequently annulled by competent authority, and a new report and special assessment roll are made for the recovery of such special assessment, and if any change has taken place in the ownership of such property between the date of the first report and the date of the completion of the new special assessment roll, the new proprietor of such immoveable property, upon payment or demand of

the amount thereof, shall have the same right *en garantie* against his vendor in respect of such demand or payment, as if such property had become charged with a valid hypothec for such amount, at the date of the homologation of the first mentioned special assessment roll.

**35.** Whenever a report of commissioners or special roll of assessment for any street or other improvement shall be annulled or set aside, the payments made under the authority of the same shall not be thereby invalidated; but such payments, with interest added, shall go to the discharge of the respective amounts to be fixed by the new report and assessment roll, subject, on the part of the rate-payer, to make good any deficiency or to receiving back any surplus according to the difference that may eventually exist between the old and the new reports and assessment rolls; and the present provision shall apply as well to reports and special assessment rolls heretofore made, as to those which may hereafter be made.

Payments under annulled roll.

Application of article.

§ 2.—*Conveyance by tutors, &c.*

**36.** Corporations, husbands, tutors, administrators, guardians, curators, institutes under substitutions or trustees, who are seized or possessed of or interested in any immovable property subject to expropriation, may, not only for themselves, but for and in behalf of the persons whom they represent, or for whom or in trust for whom they are seized, possessed or interested, whether minors, issue unborn, lunatics, idiots, *femmes couvertes*, or other persons, contract for, sell and convey such immovable to the town, and such contracts, sales and conveyances, shall be valid and effectual in law, to all intents and purposes whatsoever; and all corporations and persons whatsoever, contracting, selling or conveying, as aforesaid, are hereby indemnified for and in respect of such sale or cession which they shall respectively make, without, however, diminishing, in any manner whatever, the responsibilities of such corporations and persons towards those whom they represent, as regards the purchase money or compensation of such sales or conveyances.

Power of certain persons, etc., to convey property to corporation.

But in such case the price shall not be paid to the vendor until the authority of the Superior Court or judge shall have been obtained for such payment; and if such authority be not obtained within six months from the execution of the conveyance, the town may relieve itself from all further responsibility, in respect to such price, by paying the same into the hands of the prothonotary of the Superior Court for the benefit of whom it may concern.

Payment of price in such case.

## TITLE II.

## MISCELLANEOUS POWERS.

## SECTION I.

## ASSESSMENT FOR SEWERS.

How power of council to assess proprietors for sewers to be exercised.

**37.** The power of the council to assess proprietors to defray the cost of construction of a sewer in any street of the town may be exercised as to any sewers that may be ordered to be constructed by the council in any proposed street or lane or place not yet open to the public, when the council shall consider such sewer to be necessary in the interest of public health, or when necessary to obtain an outlet for the sewerage and drainage of the town.

## SECTION II.

## PLANS OF THE TOWN.

Plans, etc., of municipality to be binding when homologated.

**38.** Every plan or map of the municipality or any part thereof, already made or which may hereafter be made, when confirmed by the Superior Court, shall be binding upon the corporation and the proprietors therein interested, and upon all other persons whomsoever; and no indemnity or damage shall be claimed or granted at the time of the opening of any of the new streets, public places or squares shown on the said plan or at the time of the widening of any of the streets, public places, or squares, indicated on the said plan, for any buildings or improvements whatsoever, that the proprietors or any persons whomsoever may have made or caused to be made after the confirmation of the said plan upon any land or property reserved either for new streets, public places or squares, or for the widening of any of the streets, public places or squares of the town

Corporation to preserve right to widen streets, etc., upon resolution of council.

Provided that nothing contained in this act shall be construed as depriving the corporation of the right to widen or extend any of the streets, public places, or squares, designated in such plan, after its confirmation or of abandoning the opening of any new street, or of the widening or extending of any existing street, as shown on the said plan; but no such modification or alteration shall be made unless it be resolved at a meeting of the council, by a vote of two thirds of the members of the council; and thereupon any of the judges of the Superior Court may, upon a petition of the corporation, order that the duplicates of the said plan, deposited in the office of the prothonotary of the Superior Court, be modified or altered accordingly; and the said corporation may apply to any of the judges of the

Correction of plans thereafter.



tion the special tax or assessment to be levied on the said property to defray the cost of such improvement.

## SECTION IV.

## OATHS.

Before whom  
oaths to be  
taken.

**43.** All oaths required by the provisions of any act affecting the town of Côte Saint Antoine may be taken before the secretary-treasurer at the office of the council in the city of Montreal.

## SECTION V.

## EXISTING CONTRACTS, ETC.

Certain con-  
tracts not  
affected.

**44.** Nothing in this act shall affect the contracts existing with the city of Montreal, the town of Saint Henri and the town of Sainte Cunégonde, as respects an outlet or outlets for the sewerage or drainage of the town, or the commutation of the ordinary annual municipal taxes payable by the Montreal Amateur Athletic Association, as confirmed by the act 51-52 Vict., chap. 3.

Repairs to  
private roads,  
etc., used by  
public.

**45.** If any private road or avenue open to and used by the public should be in need of repairs, the council shall have the right to compel the owner or owners of the said road or avenue to make such repairs; and, if such repairs are not made within the delay fixed by the council, the council shall have the right to make such repairs and charge the cost thereof to, and recover the same from, such owner or owners.

If council  
pays more  
than one-  
fourth of cost  
of improve-  
ments more  
than local, it  
may levy  
assessments  
to cover cost.

**46.** If the council decides that any proposed improvement is more than a local improvement, and shall contribute to the payment thereof at least one-fourth of the cost, it shall have the right to cause the improvement to be made, notwithstanding anything hereinbefore contained, and levy assessments to cover the cost thereof, as provided by law, as respects such improvements, and the proprietors shall have no right of veto in such case.

Power to  
acquire Côte  
Saint-Antoine  
water-works.

**47.** The said corporation is authorized through its council to purchase and acquire from the Côte Saint-Antoine water company, on such terms as the council may deem advisable, the water pipes, plant, rights and privileges and property of every description now owned, or that may be hereafter owned by said company, in said town or elsewhere, or such other like property as may hereafter be owned by any other company, person or persons, in said town or elsewhere, and to use the same for the purpose of supplying the town with water, or as a protection against fire, so far as the same may be useful.

In order to obtain funds for the purchase of said property or of any part thereof, or of any extension of said system of water supply, the corporation may contract a loan, and issue bonds or debentures on the credit of the said town of Côte Saint Antoine, to the amount of one hundred thousand dollars, in conformity with the powers conferred on it respecting loans, on the terms and conditions to be determined by by-law or by-laws; but articles 4486 and 4487 of the general act shall not apply to any of such loans.

Power to effect loan for such purpose.

R. S. Q., art. 4486 and 4487 not to apply.

**48.** In the event of any commissioner, appointed under the provisions of any by-law of the council of the village of Côte Saint-Antoine, passed or that may be, by the said council of the village of Côte Saint-Antoine, hereafter passed, having died, or dying, or being disqualified or refusing or being unable to act, the said Superior Court, or one of the judges thereof, as the case may be, shall, upon a summary petition to be presented by the town after two days' notice given to be given to proprietors or subsequent proprietors interested, replace such commissioner by another competent or disinterested person, upon whom the said office shall be binding as upon his predecessor.

Proviso if any commissioner appointed under by-laws of village dies or refuses to act.

#### SECTION VI.

#### FINAL PROVISIONS.

**49.** All acts, inconsistent with the provisions of this act, are hereby repealed; but the repeal of such acts shall not be understood as affecting any matter or thing done or required to be done, resolutions, orders, or other proceedings of the council, or by-laws made by virtue of such acts or rolls of assessment, of reports of commissioners; but such matters or things, by-laws, reports of commissioners or rolls of assessments shall continue to be regulated by such acts until they shall be changed, altered, replaced or repealed by any proceedings adopted in virtue of this act.

Inconsistent acts repealed. Effect of repeal.

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

Coming into force.