

Parish to be a local municipality. Name. Subject to Municipal Code.

27. The said parish of Ste Victoire, as constituted by the two preceding articles, forms a distinct local municipality, under the name of the "Municipality of the parish of Ste Victoire d'Arthabaska", which is subject to the operation of the Municipal Code of the Province of Quebec, like every other local municipality, except as regards the objects specially provided for by this act.

Inhabitants constituted a corporation. Name.

28. The inhabitants and rate-payers of the said municipality constitute a local corporation subject to the provisions of the same Code, under the name of the "Corporation of the parish of Ste Victoire d'Arthabaska."

First election of councillors

29. The first election of councillors for the municipality of the parish of Ste Victoire d'Arthabaska shall take place on the first Monday in May after the coming into force of this act, or on the following day, if such Monday be a non-judicial day, at the hour of eleven in the forenoon, at the office of the secretary-treasurer of the village of Victoriaville, and shall be presided over by a person appointed by the majority of the electors present.

Elections how governed.

30. The elections thereafter shall be governed by the provisions of the Municipal Code.

SECTION II.

TRANSITORY PROVISIONS.

Valuation of property.

31. Until a new valuation roll is made, the valuation of the property comprised within the municipality of Ste Victoire shall be that shown on the valuation rolls of Victoriaville, Stanfold, St Valère de Bulstrode, St Norbert d'Arthabaska and Saint Albert de Warwick, respectively.

Coming into force.

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

CAP. LXXIX.

An Act to incorporate the Town of Magog and for the better management of education within its limits.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS the provisions of the Municipal Code do not meet the present wants of the corporation of the village of Magog, and it has become necessary to make more ample provisions for the internal management of the said village, in respect to its municipal and educa-

tional interests ; and whereas the inhabitants of the said village are desirous that the same should be incorporated as a town and have a special act of incorporation, and application to that effect has been duly made ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

PART I.

PROVISIONS RESPECTING THE TOWN OF MAGOG.

INCORPORATION OF THE TOWN.

1. The inhabitants of the village of Magog and their successors shall be and they are hereby declared to be a body corporate and politic, in fact and in law, under the name of the " Corporation of the Town of Magog " and separated from the county of Stanstead for all municipal and school purposes.

Inhabitants incorporated.

Name.

Separated from county of Stanstead.

Under that name, they and their successors shall have perpetual succession, and shall be capable of appearing in law, suing and being sued in all courts, and in all actions, causes and complaints whatsoever.

General powers.

They shall have a common seal, which they may change or modify at pleasure.

Seal.

They shall in law be capable of receiving by donation, acquiring, holding, transferring and alienating property, moveable and immoveable, for the uses of the said town ; becoming party to all contracts or agreements in the management of the affairs of the town, and giving and accepting all notes, drafts, bonds obligations, judgments or other instruments or securities for the payment of any sum of money, borrowed or loaned, or for the execution of any other duty, and generally all the other collective rights, which are necessary for the fulfilment of the duties imposed upon them.

Power to hold etc., moveable and immoveable property, etc.

2. The by-laws, orders, rolls and other municipal acts of the village of Magog as now constituted, and in force at the passing of this act, shall continue to be in force, until they are amended or repealed by the council of the town presently incorporated.

By-laws, etc., of village to remain in force.

BOUNDARIES OF THE TOWN.—DIVISION INTO WARDS.

3. The boundaries of the town of Magog shall be the present boundaries of the village of Magog.

Boundaries of town.

4. The councillors of the town shall have power to divide the town into wards, to define the limits of each ward, and to change the same whenever it is considered in the interest of the town so to do.

Power to divide town into wards, etc.

Present councillors, etc., to remain in office.

Exception.

5. The councillors and officers of the town, in office at the passing of this act, shall remain in office until the expiration of their term, unless the council divides the town into wards: in such case an election shall be held on the second Monday in January next after such division, to replace all the councillors in office, and the newly elected councillors shall be elected for three years, excepting in first elections held after the coming into force of this act when articles 379 and 380, of the Municipal Code of the Province of Quebec shall apply.

Laws applicable to town.

6. The corporation of the town of Magog is subject to the provisions of the law governing town corporations, contained in chapter first of title XI (articles 4178 and following) of the Revised Statutes of the Province of Quebec, except in so far as this act may derogate therefrom or may contain provisions inconsistent therewith.

CONSTITUTION OF THE COUNCIL.

Composition of council.

7. The municipal council of the town shall be composed of seven councillors whose term of office shall be three years or until their successors are appointed.

Term of office of councillors.

Election of mayor and pro-mayor.

8. At the first session in each year, the council shall elect one of its members as mayor of the corporation, and another as pro-mayor, to replace the mayor when sick or absent, and who in his absence shall be vested with his powers.

Term of office of mayor.

The term of office of the mayor shall be one year, or until his successor is appointed.

MUNICIPAL ELECTIONS.

Time for holding municipal elections.

9. The municipal elections for the town shall take place on the second Monday of January of each year, commencing at ten o'clock in the forenoon.

Notice therefor.

Public notice, specifying the day, hour and place of such election, shall be given eight days previous to the same by the mayor or the secretary-treasurer of the town.

Nomination and polling when and where to be held.

10. Nomination and polling shall be held on the same day, and at such places in the several wards, if the town be divided into wards, wherein vacancies have occurred as shall be designated by the municipal council.

Presiding officer to be appointed.

11. The municipal council shall, at a session held previous to the election, appoint a presiding officer for the town if undivided, and if divided into wards, for each ward in which an election is to be held.

Before the division of the town into wards, if the person appointed as presiding officer is not present, the secretary-treasurer shall preside; if he be absent then the presiding officer shall be elected by a majority of the electors present.

In the event of the presiding officer for any of the wards being absent, the electors present shall choose a person to preside.

A candidate for the office of councillor shall not be appointed nor elected to act as presiding officer at any election of councillors.

12. Articles 4229, 4230, 4231, 4232, 4234, 4235, 4236, 4238, 4241, 4242, 4256, 4257, 4258 and 4259 of the Revised Statutes of the Province of Quebec shall not apply to the Town of Magog; neither shall any of the above provisions or those of articles 4233, 4237, 4239, 4240, 4243, to 4255, inclusively, 4260 to 4272, inclusively, of the said Revised Statutes, as to the election of mayor apply to the said town of Magog; articles 4486, 4487, and 4488 of the said Revised Statutes shall not apply to others than the town council of the town of Magog.

13. As regards the town of Magog the words "if after the same period of time" in article 4239 of the Revised Statutes shall be replaced by the words "if an hour after the opening of the meeting."

14. The words "held on the Monday following at the town-hall" in article 4240 of said Revised Statutes shall be replaced by the following words: "opened and held from ten o'clock in the forenoon until five o'clock in the afternoon of the same day,

"Nevertheless, if any time after the votes have commenced to be polled, 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 poll by violence, in which case the election shall not be closed until one hour after such violence has ceased."

15. The words "deputy presiding officer" in all the articles of said Revised Statutes, from article 4229 to article 4272 inclusively, shall be replaced by the words "presiding officer."

MUNICIPAL ELECTORS.

16. In addition to the municipal electors referred to in article 4227 of said Revised Statutes, all unmarried women and widows of the full age of twenty-one years and British

given to
certain
women.

subjects by birth or naturalization, and having all necessary property qualifications, and who have complied with all the other provisions of the said article 4227, shall have the right to vote for all school and municipal purposes; and the said article 4227 is hereby amended in this particular in respect to the town of Magog; and the council of the said town shall cause the names of such unmarried women and widows to be put upon the voters' list.

Electors who
may vote on
by-laws for
raising money
on credit of
town.

17. No person shall vote upon any by-laws for the raising of money on the credit of the town, excepting the owners of real estate.

VACANCIES IN OFFICE OF COUNCILLOR.

Appointment
of persons to
replace coun-
cillors in cases
of vacancy.

18. The council of the town of Magog shall appoint a member to serve as councillor in the place of one whose office is made vacant by death, removal or other cause; the same shall be appointed immediately after the vacancy occurs, and shall hold office for the remainder of the term for which his predecessor was elected.

R. S. Q. art.
4274 not be
apply to town.

Article 4274 of the said Revised Statutes shall not apply in this respect to the town of Magog.

PROVISIONS AS TO TAXATION.

Power of
council for
certain
purposes to
levy taxes
upon:

19. In order to meet the expenses of the said town council and to provide for the necessary public improvements in the said town, and in order to raise the necessary funds to meet such liabilities and to make such improvements, the said town council shall be authorized to levy, annually, on persons and on the taxable moveable and immoveable property in the town, the taxes hereinafter designated, that is to say:

Lands, etc.;

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

Tenants, etc.;

2. On each tenant paying rent in the town, an annual sum not exceeding five cents in the dollar on the amount of such rent when it does not exceed twenty dollars per annum;

Male inhabi-
tants.

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

Dogs.

4. On every dog kept by any person residing in the said town, an annual sum not exceeding three dollars, which may be collected from the owner, or harbinger thereof.

20. It shall also be lawful for the council to regulate by by-law and to impose and levy certain annual duties or taxes to an amount not exceeding fifty dollars in each of the following cases, to wit :

Council by by-law may regulate and levy amounts, etc., upon :

1. Upon all proprietors, possessors, agents, managers and keepers in the said town of theatres, menageries, circuses and travelling shows, of billiard saloons, ten pin alleys and other places for games and amusements, of houses of public entertainment, taverns, coffee houses and eating houses ;

Proprietors, etc., of theatres, etc. ;

2. On retailers of spirituous liquors, auctioneers, bailiffs, barbers, 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 therein ;

Retailors of spirituous liquors, etc. ;

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

Money changers, etc. ;

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.

All commerce generally, etc. ;

21. It shall be lawful for the said town council to impose and levy an annual tax upon every person practising in the town the profession of advocate, physician, notary, dentist, land surveyor, veterinary surgeon or any other liberal profession, a sum not exceeding eight dollars per annum.

Council may levy taxes upon certain professional men.

22. The council may instruct the valuator to include, in the valuation roll, a list of the persons and moveable property taxed under the foregoing sections, and all taxes and sums levied in virtue thereof shall be recoverable in law.

Council may instruct valuator to include above mentioned persons, etc., in roll.

The amount of the taxes upon the above specified persons and properties up to the sum therein named fifty dollars is discretionary with the said council.

Amount discretionary up to certain sum.

23. The council shall have power to compel impose a tax not exceeding fifty dollars per annum upon all pedlars, or persons who shall temporarily come into the said town to sell goods from bankrupt or other stock, articles of commerce or effects, for the sale of such merchandize so brought to and exposed or offered for sale in the said town.

Tax may be imposed upon pedlars, etc. ;

If such tax is not paid, the amount thereof shall be demanded by the secretary-treasurer or other municipal officer, and if not paid then forthwith, it may be collected

If tax not paid amount may be levied by distress, etc.

by a warrant issued under the hand and seal of the mayor immediately after said default and addressed to a bailiff of a Superior Court, and the said merchandize may be seized even upon the person of the vendor and sold for the payment of the said tax by such or any other bailiff under the same rules of procedure as a writ of execution *de bonis* issued from the Circuit Court.

SALE OF LANDS FOR TAXES.

Statement of overdue taxes to be submitted to council.

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

Sale of real estate for arrears of taxes when to be held.

25. On the first juridical day of March, in each year, the secretary-treasurer or some other person acting for him, may sell at his office 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.

Notice to be published.

26. Notice of such sale shall be given by advertisement published twice during the preceding month of January, in the Quebec Official Gazette and in one or more newspapers published in the district.

What to countain.

Such notice shall contain the description of the immoveables to be sold, the names of the owners thereof as mentioned in the valuation roll, the total sum of taxes affecting such lands for municipal and school purposes, and the day, hour and place of such sale.

Proceedings at sales.

27. After making known the amount to be raised on each of said lands, 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 of moneys to be raised for the smallest portion of such lands, becomes the purchaser thereof, and such portion of the land must be at once adjudged to him by the secretary-treasurer.

Purchase price to be paid at once.

28. The purchaser of any land or portion of lands must pay the amount of his purchase money immediately upon the adjudication thereof, in default of which the secretary-treasurer, or some other person acting for him, shall immediately put the property up again for sale, or adjourn the sale to the following or any other day within eight days, by giving all persons present notice of such adjournment in an audible and intelligible voice.

Proceedings in default thereof.

29. If at the time of the sale no bid is made, the sale also shall be adjourned to the next day or to another day within eight days. Adjournment of sale if no bid.

30. On payment by the purchaser of the amount of his purchase money, the secretary-treasurer shall certify under his hand the particulars of the sale in a certificate in duplicate, of which one is given to the purchaser, and cause the other duplicate to be immediately registered in the registry office. Certificate to be given by secretary-treasurer.

31. The purchaser is thereupon seized and possessed of the land adjudged and may enter into possession thereof, subject to the same being redeemed within two year next following ; but during the first year next after the sale, the purchaser cannot carry off any timber, buildings or constructions on such land or deteriorate it in any manner. Rights of purchaser. Proviso.

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

33. The owner or his representative or any person on his behalf may, within twelve months of the day of sale and adjudication of any land sold under the foregoing provisions, redeem the same by paying to the secretary-treasurer of the town the amount of the claims of the town for which the said property was sold, with all costs of sale and the subsequent costs if any, incurred in connection with the carrying out of the foregoing provisions, together with all taxes, whether municipal or school, which may become due and payable on the said property since the date of the sale thereof, with interest at the rate of fifteen per centum per annum. Redemption of lands sold.

34. The purchaser shall be reimbursed for the costs of all necessary repairs and insurance money 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 for such land, together with interest on the whole at fifteen per centum per annum ; every fraction of a year being reckoned as a year on all such moneys whether taxes, costs, repairs or insurance, as regards the first year. Purchaser to be reimbursed certain moneys.

Such claims shall be privileged upon the property, and the purchaser may retain the land redeemed until fully paid. Privilege of purchaser for claim.

Sale to purchaser if land not redeemed.

35. If the redemption is not effected within the period of twelve months, as herein provided, the purchaser remains the irrevocable proprietor thereof, and the secretary-treasurer shall execute, in the name of the corporation, a deed of sale and conveyance of the said land so sold to such purchaser, under his signature and the seal of the corporation, and shall deliver a duplicate thereof, upon his paying the costs of the deed and the registration thereof, and the said secretary-treasurer shall immediately cause the same to be registered in the proper registry office.

Effect of sale.

The sale shall have the same effect as a sheriff's sale.

If property seized by sheriff proceedings by secretary-treasurer.

36. If before the sale of any immoveable property by the secretary-treasurer, the same property be seized by the sheriff, the secretary-treasurer, upon being notified in writing by the plaintiff in the suit or his attorney of such seizure, shall complete his advertisement, but shall not proceed to sell the same, but shall without delay transmit to the sheriff a statement of the sums due for taxes and costs of advertizing on account of such land, which sums are paid out of the proceeds arising from the sale made by the sheriff.

Sale by secretary-treasurer if sheriff's sale delayed by opposition.

37. If the sheriff's sale is delayed by opposition or otherwise, the corporation of the town may then, after two weeks' notice given as provided above, proceed upon the day to be fixed by such notice to the sale of the said property.

R. S. Q. art. 4557 and 4558 not to apply to town.

38. Articles 4557 and 4558 of the said Revised Statutes shall not apply to the town of Magog.

BY-LAWS.

Power to pass by-laws to :

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

Restrain, etc., sale of spirituous liquors, etc ;

To restrain, regulate or prohibit the sale of any spirituous, vinous, alcoholic or intoxicating liquors by retail or wholesale within the limits of the town, and to fix a sum not exceeding one hundred dollars payable for the granting of each certificate to obtain a license authorizing the sale of the same in the town, notwithstanding the provisions of article 4414 of the said Revised Statutes ;

Restrain, etc., slaughter-houses ;

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

Abate nuisances ;

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

42. To cause the arrest and punishment of all persons in 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 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.

Cause arrest of persons disturbing public peace.

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

Council by-law may :

1. To forbid trotting or running on bridges or in the public streets faster than a given rate ;

Forbid trotting, etc. :

2. To prohibit pipes on roofs and to determine in certain cases of what materials roofs shall be made ;

Prohibit pipes, etc., on roofs ;

3. To regulate wood and coal yards, and to provide for the measurement of wood and coal and lumber ;

Regulate wood and coal yards ;

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, pigeon-hole tables and such like therein ;

Suppress games of skill, etc. ;

5. To regulate the construction of privies, cellars, drains, ovens and steam engines of any factory or workshop ;

Regulate privies, etc. ;

6. To prevent filth of any kind being deposited in the Magog River, to prevent the obstruction of the streets or side-walks and to cause the removal of the same when done.

Prevent filth being thrown in river and obstruction of streets.

GENERAL ACT MODIFIED.

44. Article 4207 of the Revised Statutes of the Province of Quebec is amended, as regards the town of Magog, by adding thereto the words : " which shall also be counter-signed by the secretary-treasurer."

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

45. Article 4227 of the said Revised Statutes is amended by adding after paragraph 2 thereof the words : " or have paid the poll tax due by them."

R. S. Q. art. 4227 amended for town.

46. Article 4328 of the said Revised Statutes is also amended by adding thereto the words : " or an hypothec of not less than two thousand dollars given on his real estate and approved by resolution of the council, who may administer oaths.

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

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

Who may administer oath.

47. In so far as relates to the town of Magog, the words "Circuit Court" shall be substituted for "Superior

Circuit Court substituted for Superior

Court for town in R. S. Q. title XI chap. I.

Court", in chapter first of title XI (articles 4178 and following) of the said Revised Statutes.

PART II.

PROVISIONS CONCERNING EDUCATIONAL MATTERS IN THE TOWN OF MAGOG.

BOARDS OF COMMISSIONERS.

Two boards of school commissioners. To be corporations. **48.** Hereafter there shall be in the town of Magog two boards of school commissioners; each of such boards shall be composed of five commissioners and shall be, under its own name, a body politic and corporate, with all the powers and privileges of corporations.

Name and composition of boards. **49.** One of such boards shall be "The Roman Catholic Board of School Commissioners of the town of Magog" and the members thereof shall be Roman Catholics; the other shall be "The Protestant Board of School Commissioners of the town of Magog" and the members thereof shall be Protestants.

Qualification of members except of ministers, etc. **50.** Ministers of worship of all religious denominations, residing in the town although not qualified as to property may be elected school commissioners; but all other persons must possess a real property qualification of four hundred dollars.

How to be elected. **51.** The members of the Roman Catholic board shall be elected by the Roman Catholic municipal electors of the town of Magog, and those of the Protestant board by the Protestant municipal electors of the town of Magog.

First election of commissioners how and when to be held, etc. **52.** The first election of commissioners under this act shall be held on the first Monday of July next, and if the election has not been held on the first Monday of July it shall be held on the following Monday or any Monday in the month of July, and that and subsequent elections shall be held, like those of other commissioners, under the laws respecting education.

Existing boards. The existing boards of commissioners and trustees shall remain in office until their successors are elected.

Laws applicable to boards. **53.** All provisions of law, respecting school commissioners and schools in general, shall apply also to each of such boards and to the members thereof, save in so far as the same may be inconsistent with this act.

Division of government annual grant. **54.** The annual grant of the Government of this Province, for the support of schools in the town of Magog,

shall be divided between the two boards of school commissioners, in proportion to the Roman Catholic and Protestant population of the town, according to the last census.

TAXATION.

55. The two boards of schools commissioners may, from time to time, meet together and agree with respect to the establishing or altering the amount of the tax to be levied on the taxable real estate of the town for such purposes; provided that such tax be not in any case less than three mills or more than seven mills in the dollar.

Agreement may be come to by boards as to taxes for schools.

56. The boards of commissioners shall be bound to inform the secretary-treasurer of the town of Magog, on or before the first day of August, in each year, of the amount of the tax required for school purposes for the current year.

Boards to notify secretary-treasurer of amount fixed for school taxes.

In the absence of such notice, the two boards of commissioners shall be deemed to have been unable to agree as to the amount.

Effect of absence of notice.

In such case, each board shall fix its own rate of assessment for its own use for the year beginning the first day of July previous.

Each board in that case to fix its own rate.

57. The town council at the first session thereof, after the first day of August, in each year, or at a subsequent session, if the first was adjourned, shall, by resolution, declare the tax to be levied for the current year.

Town council to declare tax to be levied for year.

58. It shall be the duty of the council of the town of Magog to cause to be levied by its secretary-treasurer, upon the taxable real estate of the municipality, the tax which shall have been determined by the two boards of commissioners.

Council to cause tax to be levied as determined by boards.

59. Such tax shall be known as the "school tax"; It may be levied and recovered at the same time as the other taxes of the town, and shall, further, for the purpose of the collection thereof, be deemed to be a municipal tax of the town; provided always that the corporations and companies, which may have been or which shall be exempted from municipal taxes by by-law of the town council, shall nevertheless be liable for the school tax.

Tax to be known as "school tax"; How to be levied, etc.

60. Real estate belonging to religious, charitable, or educational institutions or corporations, and occupied by them for the objects for which they were established and not only possessed for the purpose of deriving a revenue therefrom, shall be exempt from the school tax.

Exemptions from school tax.

School tax by whom payable.

61. The school tax shall be payable by proprietors of real estate to the exclusion of tenants.

The usufructuary, or occupant, under an emphyteutic lease, shall be deemed to be the proprietor, as shall also the occupant, and be jointly and severally liable for the payment of the said tax with the proprietor.

ASSESSMENT AND COLLECTION ROLL.

Notice to be given within certain time after valuation roll homologated. Duty of secretaries thereupon.

62. Within ten days after the valuation roll of the town of Magog shall have been homologated by the council of the town, in each year, the secretary-treasurer of the town shall give notice thereof to the secretary-treasurer of each board of school commissioners; and within ten days of the receipt of such notice, the secretary-treasurers of such boards, acting together, shall draw up an assessment and collection roll of the real estate in the town.

Contents of roll.

63. Such roll shall show, opposite the description of each lot or property, the amount of the valuation thereof, the name of the owner and the sum to be levied on such lot or property for the school tax for the year.

The amount of the valuation and the name of the owner shall be the same as stated on the valuation roll in force in the town for municipal purposes.

Division of roll into panels;

No. 1;

No. 2;

No. 3;

No. 4;

64. The said roll shall be divided into four distinct panels.

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

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

Panel number three shall comprise the taxable real estate belonging:

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

2. To persons professing neither the Roman Catholic nor Protestant religion, to Jews or to those whose religion is unknown, or again when the father and mother are of a different religious belief;

3. Lastly, property belonging, partially or jointly, to persons or partnerships, some of whom profess the Roman Catholic and others the Protestant faith;

Panel number four shall comprise all real estate exempt from taxation, to wit:

a. All lands and properties, belonging to Her Majesty, her heirs and successors, occupied by any public body or department, or by any person in charge thereof for the service of Her Majesty, her heirs and successors.

b. All provincial property and buildings.

c. All places used for public worship, parsonage-houses and the dependencies thereof, and all cemeteries ;

d. All public schoolhouses and the grounds on which they are built, provided the area thereof does not exceed two arpents.

e. All educational establishments or institutions, as well as the ground on which they are built, provided the area of the same does not exceed four arpents.

f. All buildings, grounds or property occupied or possessed by hospitals or other charitable institutions, provided the area thereof does not exceed five arpents.

65. Property possessed for revenue purposes by religious, charitable or educational institutions or corporations, shall be entered on panel number one or panel number two, according to the religious denomination to which such institutions or corporations belong, or according to the declarations made by them to that end.

Certain property possessed by religious, &c. institutions to be entered on certain panels.

If the religious denomination be not known and if no declaration is made, such property shall be entered on panel number three.

66. Upon such roll being completed, it shall be deposited in the office of the secretary-treasurer of the town, and notice of such deposit shall be forthwith given in at least one newspaper published in the town or in the district ; the said notice shall also be posted up, both in the French and English languages, in such places as ordinary municipal notices are posted up in the said town.

Deposit of roll after completion and notice thereof.

67. During the thirty days next after the publication of such notice, it shall be lawful for any person to examine the panels included in the said roll.

Examination by parties interested.

68. During such delay of thirty days, either board of school commissioners, or any person whose name shall have been erroneously entered on any such panels, or omitted therefrom, or who shall observe that the name of any other person is entered by error on any of such panels or omitted therefrom, may make any complaint which he shall deem himself entitled to make on this subject, to the town council, who shall amend and correct the roll in consequence, if it appear to be necessary.

Complaints against roll to council.

Powers of council thereon.

Within fifteen days following the final homologation, the decision of the town council may be appealed from to the magistrate court of the district or the Circuit Court.

Appeal to Circuit Court.

69. At the expiration of the delay of fifteen days, the said roll shall avail for all school purposes in the town for the then current year.

Roll to avail after certain delay.

OTHER PROVISIONS CONCERNING TAXES.

Accounts for school taxes, contain entries.

70. All accounts delivered to taxpayers, and all receipts given them, for the school tax, shall contain clearly and distinctly the words "panel number one, Roman-Catholic school tax" or "panel number two, Protestant school tax" or "Panel number three, neutral school tax," as the case may be.

Taxes from panel number one to belong to Roman Catholic Board, from No. 2 to Protestant Board; From No. 3 to be divided in proportion to population between them.

71. The taxes derived from the property comprised in panel number one shall belong to the Roman Catholic Board of School Commissioners, and the taxes derived from panel number two shall belong to the Protestant Board of School Commissioners.

2. The taxes derived from panel number three shall be divided between the Roman Catholic Board of School Commissioners and the Protestant Board of School Commissioners in proportion to the Roman Catholic and the Protestant population of the town according to the last census, and the rate of assessment upon the property in panel number three is hereby fixed at five mills on the dollar unless the two boards of school commissioners agree upon a different rate.

Payments to boards by corporation.

72. Such sum shall be paid by the corporation of the town of Magog to the secretary-treasurer of each board of commissioners, in four equal payments, which shall fall due quarterly, on the first days of July, October, January and April, in each year, respectively.

Payments exigible from corporation, even if tax not levied.

73. Each of such payments shall be exigible from the corporation 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.

MONTHLY SCHOOL FEE.

Power of board to require payment of monthly fees from certain parents, etc.

74. It shall be lawful for either board of commissioners to exact from the parents, tutors, or guardians of children of school age, residing within the municipality, except from those exempted by the commissioners through poverty, or by reason of their being in attendance at some school aided by the Government of the Province not under the jurisdiction of the board to which they may belong, the payment of a monthly fee or rate, not to exceed ten monthly assessments in any one year, the amount whereof shall have been ascertained by each board of school commissioners and fixed and established from time to time by by-law.

75. 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. What report of commissioners to specify.

76. The monthly school fee may be recovered from parents, tutors or guardians by the secretary-treasurers of the respective boards to which such scholars belong, and in case of default, by suit before any competent court. Recovery of monthly fee by suit if not paid.

Nevertheless no suit shall be brought for more than two years' arrears or for any sum due for more than two years. What arrears may be claimed by suit.

TEACHERS.

77. The teachers serving under either of the boards of school commissioners shall be deemed to be engaged for one year, and no notice shall be required either from the said teachers or the said boards, in order to terminate such engagement; nevertheless any teacher, may be discharged, at any time, for incompetency or misconduct. Engagement of teachers. Their dismissal.

POWERS OF THE BOARDS OF SCHOOL COMMISSIONERS—ISSUE OF DEBENTURES.

78. Either board of commissioners may take from the funds at its disposal such sum as it shall deem advisable, and expend it in prizes, for the various schools under its control. Prizes.

79. The respective boards of school commissioners of the said town of Magog shall have power to lay aside annually a portion of their revenues, not exceeding one fourth thereof, for the purchase of lots, and for the construction of school-houses, without any limitation as to the amount to be expended on each school-house, any law to the contrary notwithstanding. Purchase of lots and building of schools.

It shall be lawful for either of the said boards, with the approval of the Lieutenant-Governor in council, to raise loans for the said purposes, and to transfer as security for such loans a part of their annual claims on the corporation of the town for the following years subject to the above limitations; and either of the said boards, with the approval aforesaid, may, for the said purpose, raise money in advance, by issuing debentures of not less than one hundred dollars each, redeemable in not more than twenty-five years, and for such amount as the superintendent of education shall approve. Loans may be raised for said purposes, etc.

In such case, the portion of their revenue set aside annually, as aforesaid, or so much thereof as they may determine, shall be applied to the forming of a sinking fund for the redemption of the said debentures; but the Lieutenant-Governor shall not grant such approval, unless Sinking fund.

Notice re-
quired before
approval
given.

it be established to his satisfaction that the interested parties have been notified at least thirty days beforehand, by public notice given in the usual manner and published in, at least, one newspaper in the town of Magog or of the district.

What may be
declared in
debentures.

80. It shall be lawful for the said boards to declare in the said debentures that the same are secured by hypothec on all the real estate then their property; and in the case when such declaration shall have been made, the said debentures shall be secured, both as respects principal and interest, on all their said real estate, without the formality of registration, articles 2084 and 2130 of the Civil Code to the contrary notwithstanding.

Stipulation as
to payment to
holders of
sum for sinking
fund.

81. Any of such debentures may contain a stipulation to the effect that the sum, annually carried to the sinking fund, be paid to the holder thereof, instead of being invested by the commissioners.

Payment of
debentures in
such case.

In any such case, such debenture is not redeemable at the expiration thereof, but shall be deemed to be paid and discharged in full by the payment of the interest and sinking fund, specified in such debenture.

MISCELLANEOUS PROVISIONS.

Seat of com-
missioner
may be de-
clared vacant
in certain
event.

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 power, at any meeting especially called for such 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 nominate and elect any other qualified rate-payer of the said town in his place and stead, to serve for the remainder of the term for which such commissioner had been elected.

Appointment
of person in
his place.

Extraordina-
ry tax may be
levied for cer-
tain purposes.

83. Whenever it may become necessary to raise more money in any year than the ordinary revenue of the respective boards amounts to, for the purpose of meeting pressing demands upon such boards, an extraordinary tax may be levied for one year upon panel number one, or panel number two, as the revenue may be required for the Roman Catholic or Protestant board, and also upon panel number three, such amount as the board levying the assessment would be entitled to receive, had the tax been levied by the joint action of both boards.

How to be
levied.

Such extraordinary tax shall be levied by the corporation of the town, in the same manner in which the ordinary tax is levied, upon petition to the council made by

the board of commissioners seeking the additional revenue.

But such additional taxation shall only be levied with the approval and sanction of the Lieutenant-Governor in council, and shall affect the property of the panel whose board have asked for it and the proportion of the property in panel number 3 to which they are entitled under article 71.

Approval of Lieutenant-Governor
What property additional taxation to affect.

84. It shall be lawful for either of the boards of commissioners to establish, either separately or in connection with the common schools of the town under the control of the board taking such action, a superior school, graded school, model school or convent for girls, or to amalgamate with any such school or any college already established or that may hereafter be established within the limits of the town of Magog.

Establishment of superior schools, etc.

85. Whenever, hereafter, the limits of the town of Magog are extended by the annexation thereto of any outlying territory, the territory, so annexed, shall thereupon become part of the school municipality of the town of Magog, and be governed by the provisions of this act, and the school property found existing in such annexed territory shall become the property of the board or boards to which the contributors to the said building or school property belonged previous to such annexation.

Provision as to territory annexed to town.

86. The school property, now belonging to the school commissioners of the township of Magog, situate in the village of the same name, shall become the property of the Protestant board, and that belonging to the trustees of dissentient schools shall become the property of the Roman Catholic board, and the liabilities of the school commissioners shall be assumed and paid by the Protestant board, and the liabilities of the trustees shall be assumed and paid by the Roman Catholic board.

Certain property vested in boards, etc.

87. The secretary-treasurers of the two boards, acting together during the months of August and September in each year, shall take a census of the population of the town of Magog, 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 Magog and another with the superintendent of education.

Joint census of population for school purposes.

88. The two boards may severally fix the salary of their respective secretary-treasurers.

Salaries of secretary-treasurers have fixed.

Coming into force.

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

C A P. L X X X.

An Act to incorporate the "French Veterinary School of Montreal."

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS Messrs. Victor Théodule Daubigny, veterinary surgeon; Emmanuel Persillier Lachapelle, doctor of medicine; Norbert Fafard, doctor of medicine; Hugues E. Desrosiers, doctor of medicine; Avila R. Marsolais, doctor of medicine; Victor François Daubigny, veterinary surgeon, all citizens of Montreal and members of the "French Veterinary School of Montreal," have, by petition, prayed that such school be incorporated;

Whereas the said school has been attended every year since its foundation by about thirty students and this year by over thirty-six regularly matriculated, who assiduously follow the lectures;

Whereas the Council of Agriculture has acknowledged the usefulness of this school, the most flourishing in this Province, and has given it its approval and patronage;

Whereas, in order the better to assure the future of this institution, it is expedient to endow it with the rights and privileges of a corporation;

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

TITLE I.

CONSTITUTION OF THE CORPORATION.—ITS OBJECT.

Certain persons incorporated.

1. The said Victor Théodule Daubigny, Emmanuel Persillier Lachapelle, Norbert Fafard, Hugues E. Desrosiers, Avila R. Marsolais, Victor François Daubigny, and such other persons as shall join them, and their successors, are constituted a corporation, under the name of the "French Veterinary School of Montreal."

Name.

Head office.

2. The seat of the corporation shall be at Montreal, at the office of the management of the school.

Object of school.

3. The object of the "French Veterinary School of Montreal" is the theoretical and practical teaching of veterinary science and also the teaching of agronomy and agriculture.