

License valid for one year. If not taken out and paid demand therefor by secretary-treasurer; If not paid forthwith warrant may be issued and goods seized and sold.

Such licenses shall be valid for one year from date, and if the same is not taken and paid, the amount of the license shall be demanded by the secretary-treasurer or other municipal officer, and if not paid them forthwith, it may be collected by a warrant issued under the hand and seal of the mayor immediately after said default and addressed to a bailiff of the Superior Court, and the said merchandize may be seized even upon the person of the vendor and sold for the payment of the said license by such or any other bailiff, under the same rules of procedure as a writ of execution *de bonis* issued from the Circuit Court."

Power to make etc., and, repeal, etc., by-laws respecting; Trotting, etc., on bridges or in streets; Pipes on roofs and the materials thereof; Wood and coal yards etc ;

Games on skill, etc., billiards tables, saloons, etc.:

Construction of privies, cellars, etc ;

Sweepings, etc., being thrown on streets, etc.

General powers.

Coming into force of act.

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

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

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

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

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 billiards, saloons, pigeon-hole tables and such like therein ;

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

6. To prevent sweepings, filth or dirt being thrown in the streets, ditches, water-courses or on the sidewalks. and to order the removal of the same, and

Generally to use all the powers conferred upon towns and villages by the Municipal Code.

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

CAP. LXXXIX.

An Act to amend the Act 46 Victoria, chapter 82, incorporating the town of Hochelaga, now the town of Maisonneuve.

[Assented to 12th July, 1888.]

Preamble.

WHEREAS the town of Maisonneuve has represented that it is necessary to amend the act incorporating it, and constituting its charter, and whereas it is expedient to grant its prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 5 of the act 46 Victoria, chapter 82, is replaced 46 V., c. 82, s. 5, replaced ; by the following :

“ 5. The council of the town of Maisonneuve shall consist Composition of council ; of a mayor and six councillors who shall be elected in the manner hereinafter prescribed ; the whole subject to the provisions of section 4 of this act.

The quorum shall be three councillors, besides the mayor Quorum or officer presiding over the council.”

2. Subsection 2 of section 17 is replaced by the following : 46 V., c. 82, s. 17 § 2, re-

“ 2. On the owner or possessor of the following moveable placed. property, a sum not exceeding two cents in the dollar, Special taxes on certain property. according to the values hereinafter specified, namely :

Every stallion, at four hundred dollars ;

Every horse kept for hire, at sixty dollars ;

Every horse above the age of three years, and kept for ordinary domestic purposes, at fifty dollars ;

Every head of horned cattle, two years of age and over, at twenty dollars ;

Every covered carriage with four wheels and two seats at one hundred dollars ;

Every open carriage with four wheels and two seats, at eighty dollars ;

Every gig or light waggon with one seat, at forty dollars ;

Every two horse sleigh, at eighty dollars ;

Every one horse sleigh, at forty dollars ; ”

3. Subsection 7 of section 17 is replaced by the follow- 46 V., c. 82, s. 17 § 7, repla- ing : ced ;

“ 7. And it shall be lawful for the town of Maisonneuve, Power to im- for the purposes mentioned in the preceding section, to pose annual impose and levy an annual license on all pedlars and itine- license on cer- rant traders selling, in the town, articles of commerce tains persons, of any kind whatsoever, on all proprietors, possessors, trades, call- agents, managers, and keepers of theatres, circuses, billiard- ings and pro- rooms, ten-pin alleys, or other places for games or amuse- fessions. ments of any kind whatsoever, on all auctioneers, grocers, bakers, butchers, hawkers, hucksters, carters, livery-stable keepers, brewers and distillers, on all traders and manufacturers and their agents, on all proprietors or keepers of wood-yards, or coal-yards, and slaughter-houses in the said town, on all money-changers or exchange brokers, pawu-brokers, on all bankers and banks, and all agents of bankers and banks, on all building societies, on all insurances companies and their agents, and generally on all commerce, manufactures, callings, arts, trades and professions, which have been or which, may be introduced into or exercised in the said town, temporarily or permanently, and whether they be mentioned in this act or not.

Amount of license to be fixed by by-law in proportion to rental ;

The amount of such licences shall be fixed and determined by a resolution or by-law of the council of the town of Maisonneuve, and shall be in proportion to the annual rental of the buildings in which such business, industry, and trade are carried on, and shall be fixed and determined by the council, in its discretion ; but in no case shall the amount of such license exceed one hundred dollars.

Fine for default to take out license ;

In default of taking out such license, the delinquents shall be liable to a fine not exceeding one hundred dollars, for such office and in default of payment of the said fine and costs, to an imprisonment not exceeding three months.

Period of license.

Every license signed by the secretary treasurer shall give the bearer the right to carry on his trade, occupation, business or industry up to the first of May next."

Subsection added to 46 V., c. 82, s. 17 :
Levying of annual taxes on certain persons.

4. The following subsection is added to section 17 :

"8. And it shall be lawful for the council of the town of Maisonneuve, to levy by resolution or by law, certain annual duties or taxes on the proprietors or occupants of houses of public entertainment, hotels, taverns, coffee-houses and restaurants, temperance hotels, private boarding houses, on all retailers of spirituous, vinous and fermented liquors or to impose a duty or tax upon their respective certificates from the electors when submitted to the approval of the council for obtaining their license.

46 V., c. 82, s. 45, replaced :
Opening of streets, etc ;

5. Section 45 is replaced by the following :

"45. It shall be lawful for the council of the town of Maisonneuve, at any time, to cause public streets, highways, by-roads, avenues, squares and boulevards, within the whole extent of the limits of the municipality, under the direction and supervision of the corporation and of the provincial land surveyors who are now employed or shall be employed by it, and under the conditions prescribed by the corporation ; provided that when the works or improvements mentioned in this section are charged to a portion only of the inhabitants of the town of Maisonneuve, such works or improvements shall not be made without the consent of the majority in value of the persons called upon to pay the cost thereof. But the proprietors whose lands are expropriated and who benefit by such expropriation to a greater extent than the remainder of the municipality, may be compelled to pay a special tax proportionate to the increased value, if any, given, to be determined by arbitrators.

When such works to be charged only to a portion of the inhabitants, their consent to be obtained.
Special tax on persons benefited.

Naming of streets, etc.,

It shall be lawful for the said town to give a name to each of the said public streets, highways, by-roads, avenues, squares and boulevards ; and, for that purpose, the corporation may employ a sufficient number of surveyors or other competent persons, who shall, with all due diligence, proceed to lay out, fix and determine, under the

Laying out and determining streets, etc.

direction and supervision as aforesaid, and under as uniform a system as circumstances may permit, such public streets, highways, by-roads, avenues, squares and boulevards, as aforesaid, of such dimensions, width and extent as may appear to them most desirable in the public interest."

6. Section 51 is replaced by the following :

" 51. The corporation shall have all the necessary powers to open to the public, whenever the said corporation shall deem it advantageous to do so, in the interest of the municipality, any new street, highway, public place or boulevard, whether shewn or not on the said plans or maps, also to widen any of the streets, highways, public places or boulevards thereon indicated or not indicated as widened, after having adopted, however, the formalities and procedure prescribed by this act."

46 V., c. 82, s.
51 replaced :
Opening of
new streets,
etc.

7. The town of Maisonneuve may pass by-laws for the following objects :

Power to pass
by-laws con-
cerning :

1. To forbid the erection of steam engines or boilers in the limits of the town for manufactories or other purposes, except with the permission of the council, and to provide for the inspection of such steam engines or boilers, and to impose and levy a fee to that effect ;

Steam engines
or boilers ;

2. To regulate the construction, dimensions and height of the chimneys above the roofs or even, in certain cases, above the neighboring houses and buildings, and within what delay they shall be raised and repaired, and for the regulation and inspection of the construction of houses and buildings in the city, both those which are built and those which are being built, and as to the appointment of a building inspector and to define and determine his powers ;

Chimneys ;

Building in-
spector ;

3. To levy, by assessment, the moneys necessary for making or repairing one or more common sewers in all the streets of the town, now opened or which may hereafter be opened, upon all owners of lots situated on such streets, regulate the manner of making such sewers and determine the method of collecting the taxes.

The levying
of assess-
ments for
sewers ;

The council shall, for such purpose, have the necessary powers for excavating in any of the streets of Maisonneuve, for the purpose of placing the said sewers therein, and it may also excavate the said streets or make use of them otherwise for placing water pipes or other things necessary for the administration of the town ;

Excavation of
streets for
sewers ;

4. To prescribe the necessary measures for preserving the inhabitants of the municipality from contagious or pestilential diseases, or diminishing the dangers or effects of such diseases, and to establish one or more boards of health, and to appoint a competent person, for the in-

Public health.

spection of meat and of milk which shall be sold or offered for sale in the town, and to confer upon him the power of confiscating all meat and all milk which are not of good quality, or which might be an unwholesome article of food or injurious to the public health ; and the council may, by by-law, impose a penalty of a fine and imprisonment in default of payment of such fine, upon any person selling or offering for sale in the said town such unwholesome or bad meat or milk.

Valuation roll may be made only every three years.

8. It shall be lawful for the council of the town of Maisonneuve to make the valuation roll for the said town only every three years, counting from the one year thousand eight hundred and eighty eight, provided that the council shall every year revise the valuation roll in force.

Power of town concerning water supply.

9. The town of Maisonneuve shall have all the powers mentioned in sections 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321 and 322 of the Town Corporations' General Clauses, Act, 40 Victoria, chapter 29, without being obliged to have water-works within its limits, provided it can supply water from the city of Montreal or elsewhere to the inhabitants of the town ; and the by-law respecting the water supply of the town of Maisonneuve is declared legal for all lawful purposes.

Power of council to correct valuation roll.

10. The council shall, at all times, on a written application from any person who considers himself aggrieved as regards the insertion of his name or the value of his property, in the valuation roll of the municipal taxes of the town of Maisonneuve and by the entry of any taxes against him, have power to strike and erase or charge from such assessment roll the names and surnames of such person or the valuation of his property as having been inserted erroneously or otherwise, also to strike therefrom all taxes which may have been erroneously entered against any such person in such assessment roll.

Valuation of property to comprise buildings and improvements.

11. The real value of the taxable property in the said town shall comprise the value of the buildings, workshops and machinery thereon erected, and that of all other improvements made thereon.

Powers as to police force.

12. It shall be lawful for the council, by resolution, to appoint, dismiss and replace, from time to time, as occasion may require, a sufficient number of men to compose the police force of the town.

Police to be sworn.

2. Such men shall be sworn before any justice of the peace for the district of Montreal, to act as police officers or constables, in order to preserve peace within said town.

3. The police officers or constables shall obey all legitimate orders they may receive from the council, from any of its members individually, or from any justice of the peace of the district of Montreal. Control of police.

4. All and every the police officers or constables aforesaid shall be vested with all the necessary powers for the performance of the duties imposed upon them ; and it shall be lawful for them to arrest on view and without a warrant any person they may find breaking the public peace, or lying or loitering, either during the night or daytime, in any highway, field, yard or other place, or staying or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing some tumult in the public streets or highways, wharves, bridges, or on any part of the beach of the river St. Lawrence or in the waters thereof, or in any boat or vessel in the said River St. Lawrence within the limits of the town, by shouting, cursing or otherwise, and, in a like manner, any person infringing any federal or provincial law, or any by-law of the town, and all persons advising, aiding or encouraging anyone, to infringe any such federal or provincial law, or any such by-law of the said town ; and it shall be lawful for them to arrest on view and without a warrant, any such persons immediately after the commission of the offense, on good and sufficient information being given as to the nature of the offense. Powers of police to arrest on view certain delinquents, within limits of town, etc.

5. They shall also have power and authority to arrest, even outside the limits of the said town, all persons who shall have infringed any federal or provincial law, or any by-law of the town, or who shall have advised, aided, or encouraged anyone to infringe any such federal or provincial law, or any such by-law. To arrest outside limits of town.

6. They shall have power and authority to serve all summons and subpoenas and execute all warrants and other proceedings for the arrest and the confining in gaol, of all persons accused or detained for subsequent examination or for trial, or arrested in virtue of a warrant of arrest for the commission of any crime, or offence against or infringement of any federal or provincial law, or any by-law of the town. To serve legal papers.

7. They shall have also power and authority to enter every inn, hotel, and every licensed shop for the sale of spirituous, vinous or fermented liquors, to ascertain if the laws governing such houses, or if the by-laws, which the council shall have established concerning such houses, be observed, and to arrest on view and without a warrant all persons found in every such house, in contravention of all such laws or by-laws. To enter inns, and arrest delinquents therein.

To enter places where they suspect liquors to be sold, and to arrest.

8. The said police officers or constables may, at any time, upon the written permission of the mayor or of two municipal councillors, enter any store-house, shop or other houses, whether licensed or not licensed for the sale of spirituous, vinous or fermented liquors, wherein they shall have reason to suspect such liquors to be sold.

Imprisonment of delinquents until trial;

9. Any such persons so summarily arrested shall be conveyed to the gaol of the district of Montreal, or to one of the police stations of the town, there to be safely kept until they may be taken before the mayor, or one or two justices of the peace; but such persons so arrested may give bail or a sufficient recognizance, to be taken or received by the said mayor, or justice of the peace or chief of police of the town of Maisonneuve, to appear, and shall appear on the day appointed, before the said mayor or justice of the peace.

Bail.

Power of police to serve special notices and publish public notices, etc.

10. The said constables or police officers shall have power and authority to serve all special notices and to publish all public notices in accordance with the various provisions of this act, and they shall certify to the correctness thereof under their oath of office, without being obliged to take a special oath to that effect.

Vote by ballot.

13. In every municipal election for the office of mayor or councillor for the town of Maisonneuve and in all cases where the vote of the electors shall be required, the voting shall be by ballot; and for that purpose articles 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167 (substituting therefor the form contained in section 73 of the Town Corporations' General Clauses Act, 40 Vict., chapter 29), 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205 of the Quebec Election Act shall *mutatis mutandis* apply to the said elections.

Certain sections of 38 V., c. 7 and 40 V., 29 to apply to elections.

Returning officer.

The secretary treasurer or the person mentioned in section 58 of the Town Corporations' General Clauses, Act shall act, in all cases, as returning officer with all the powers of deputy returning-officers, and the deputies mentioned in section 65 of the said act shall act as deputy returning officers, as the case may be.

42-43 V., c. 15, to apply.

The act to amend the Quebec Election Act, 42-43 Victoria, chapter 15, shall *mutatis mutandis* equally apply to the said municipal elections; but instead of the deposit required by the first section of the said act, the petitioner shall, within the same delay, furnish good and sufficient security to pay the costs to which he may be condemned, and the secretary treasurer shall make his report to the council of the said town of Maisonneuve instead of to the clerk of the Crown in Chancery.

Security to be furnished.