

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.

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

**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.

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.

Security to be furnished.

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.

## CAP. XC.

An Act to erect the town of Coaticook into a town with a special charter.

[Assented to 12th July, 1888.]

**W**HEREAS, owing to the increase in the population, the Preamble.  
provisions of the Municipal Code do not meet the requirements of the town of Coaticook, nor allow its inhabitants to pay for the improvements which they have already undertaken and desire to undertake; whereas it is necessary that more ample provisions should be made for the raising of revenue therein, and the internal government of town, and whereas, the municipal council of the town is desirous that the same should 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:

**1.** From and after the passing of this act, the inhabitants of the town of Coaticook and their successors shall be and they are hereby declared to be a body politic and corporate in fact and in law under the name of "The Corporation of the town of Coaticook" and separated from the county of Stanstead for all municipal purposes. Incorporation.  
Name.

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. Succession.  
Power to sue, &c.

They shall have a common seal which they may change or modify at pleasure, and shall in law be capable of receiving by donation, acquiring, holding transferring and alienating property, moveable and immoveable, for the uses of the town, becoming party to all contracts or agreements in the management of the affairs of the town, and giving or accepting all notes, drafts, bonds, obligations, judgments or other instruments or securities for the payment or for insuring 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. General powers.

**2.** The boundaries, limits and wards of the town shall be those of the present town of Coaticook, as existing under the Municipal Code; but the council of the said town shall have power by by-law passed in the usual manner, to change the number and boundaries of the various wards in the town, if deemed necessary for the better administration of the affairs of the same. Boundaries, limits and wards.  
Changes in wards.

Councillors and officers continued in office.

**3.** 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 or until they shall be replaced in virtue of the provisions of this act.

By-laws, etc., continued in force.

The by-laws, orders, rolls, and other municipal acts of the town of Coaticook as now constituted, 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.

40 V., c. 29, to form part of special act.

**4.** The town corporations' general clauses act and amendments thereto, hereinafter referred to as the general act, shall be followed and considered, with the exceptions and modifications herein made, as the special act in force for the said town of Coaticook.

#### CONSTITUTION OF THE COUNCIL.

Seven councillors to be elected for three years.

**5.** 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.

Election of mayor and pro-mayor by council, for one year.

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 him when sick or absent and who shall be vested with his powers; their term of office shall be one year or until their successors are appointed.

Quorum.

Four members of the council shall form the quorum.

#### MUNICIPAL ELECTIONS.

Municipal elections to take place in January each year. Eight days' notice required.

**6.** The municipal elections for the town shall take place on the second Monday of January in each year at nine o'clock in the forenoon.

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

Nomination and polling.

**7.** The nomination and polling when required shall be held on the same day and at such places in the several wards wherein vacancies have occurred as shall be designated by the municipal council.

Presiding officer at election for each ward.

The said municipal council shall, at a session held previous to the election, appoint a presiding officer for each ward in which an election is to take place.

In absence of person appointed, who to preside.

If, at the time fixed for the election, the person named to preside thereat is absent, the meeting and election shall be presided over by any person at such meeting chosen by the majority of electors present.

**8.** Articles 52, 53, 54, 55, 57, 58, 59, 61, 64, 65, 79, 80, 81 and 82 of Section IV of the general act, headed "General Election of Mayor and Councillors" shall not apply to the town of Coaticook, neither shall any of the provisions of the articles of said Section IV as to the election of mayor apply to the said town.

Certain articles of general act not to apply.

As regards the town of Coaticook the words : " If after the same period of time " in article 62 of the general act shall be replaced by the words : " If an hour after the opening of the meeting."

Article 62 of general act amended.

**9.** The words " held on the Monday following at the town hall " in article 63 of the general act shall be replaced by the following words : " opened and held from ten o'clock in the morning to five o'clock in the afternoon of the same day.

Article 63 of general act amended.

Nevertheless if any time after the votes have commenced to be polled, one hour elapses without any votes having been 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.

If one hour elapses without voting, election closes.

Exception.

**10.** The words " deputy presiding officer " in all the articles of said Section IV shall be replaced by the words " presiding officer. "

Words in articles of section 18 of general act replaced.

#### IMPOSITION OF TAXES.

**11.** In order to raise the necessary funds to meet the expenses of the said town council and to provide for the necessary public improvements in the said town and meet the liabilities it may incur under the provisions of this Act, the said town council shall be authorized to levy annually on persons and on the moveable and immoveable property in the town, the taxes hereinafter designated, that is to say :

Levy of taxes on moveable and immoveable property for certain purposes:

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 and one half cent in the dollar of their whole value as entered on the valuation roll of the town ;

On lands and buildings ;

2. On all stocks in trade or goods kept by merchants or traders and exposed for sale on the shelves in the shops or kept in cellars or store-houses, a tax not exceeding one per cent on the estimated average value of such stocks in trade ;

On stocks in trade and goods for sale ;

3. On each tenant paying rent in the town an annual sum not less than one dollar and not exceeding five cents

On tenants ;

in the dollar on the amount of such rent when it exceeds twenty dollars per annum ;

On inhabit-  
ants ;  
Exceptions.

4. On each male inhabitant of the age of twenty one years who shall have resided in the said town for six months and is not a proprietor, tenant, apprentice or domestic servant therein an annual sum of two dollars ;

On dogs.

5. 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 proprietor or harbinger thereof.

Annual duties  
or taxes ;

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

On theatres,  
etc., places of  
amusement  
and houses of  
entertain-  
ment :

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 ;

On certain  
callings, etc. ;

2. On retailers of spiritous liquors, auctioneers, bailiffs, barbers, bakers, 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 :

On money  
changers, etc.,  
insurance and  
telegraph  
companies,  
etc., mill-  
owners ;

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

On all other  
business.

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.

Tax on profes-  
sional men.

**13.** It shall also 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, not exceeding eight dollars per annum.

Valuation roll  
may include  
list of above  
enumerated  
persons, etc.  
All taxes reco-  
verable by-  
law.

**14.** 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.

License on  
pedlars and  
sellers of  
bankrupt and  
other stocks.

**15.** The council also shall have the power to compel all pedlars or persons who shall temporarily come into the said town to sell goods from bankrupt or other stocks,

articles of commerce or effects, to take out and pay a license not exceeding fifty dollars for the sale of such merchandize so brought to and exposed for sale in the said town.

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 then 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.

If license not taken, goods may be seized and sold under warrant.

#### SALE OF LAND FOR TAXES.

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

Statement over due taxes to be made in November.

2. 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.

Sale in March of immoveables which are in arrear for one year's taxes.

3. 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.

Notice of sale.

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.

Contents of notice.

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 by person offering to buy smallest portion.

4. The purchaser of any land or portion of land 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

If immediate payment of purchase be not made, property may be resold or sale adjourned.

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.

If no bids made, sale adjourned.

5. If at the time of the sale no bid is made, the sale is also adjourned in the same manner to another day within the eight days.

Certificate of sale given to purchaser.

6. 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 proper Registry Office.

Seizin by purchaser subject to redemption.

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

Corporation may purchase.

8. 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 the mayor or other person authorized by the town council, without being held to pay forthwith the amount of the said purchase money.

Redemption owner within one year.

9. The owner or his representative or any person in 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 have 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.

Reimbursement of purchaser.

10. 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 cost of the municipal work performed for such land, together with interest 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.

Privilege of purchaser.

Such claim shall be privileged upon the property and the purchaser may retain it until fully paid.

If redemption not made within one year, deed of sale to purchaser.

11. If the redemption is not effected within the period of twelve months as provided in this section, 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.

Registration of deed of sale.

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

Effect of sale.

12. 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 advertisements, 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.

If immoveable to be sold for taxes be also seized by sheriff, secretary-treasurer to transmit to sheriff statement of taxes.

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 a day to be fixed by such notice to the sale of the said property.

If sheriff's sale delayed by opposition, corporation may sell.

13. Articles 383 and 384 of the general act shall not apply to the town of Coaticook.

Articles 383 and 384 of general act not to apply.

#### INTOXICATING LIQUORS AND NUISANCES.

**17.** The municipal council of the said town shall have power:

Powers of council:

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

As to sale of liquors, to prohibit same or to impose license fee.

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

As to slaughter houses.

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

As to public nuisances;

4. 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 and any person or 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 town, until they shall be brought before the mayor or some other justice of the peace to be dealt with according to law.

As to punishment of disorderly persons, etc.



## BY-LAWS.

Council may make by-laws: **18.** The council of the town shall also have the right to make, amend repeal or replace by laws for the following purposes :

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

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

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

Suppressing games of skill, etc ; 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 ;

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

Preventing sweepings, etc., from being thrown on streets. 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.

## GENERAL ACT MODIFIED.

Article 30 of general act amended. **19.** Article 30 of the general act is amended as regards the town of Coaticook by adding thereto the words " which shall also be countersigned by the secretary-treasurer. "

Article 50 of general act amended. **20.** Article 50 of the general act is also amended by adding after subsection 2 thereof the words " or have paid the poll tax levied in virtue of subsection 4 of article 9 of this act. "

Article 152 of general act amended. **21.** Article 152 of the general act is also amended by adding thereto the words " or a hypothec of not less than two thousand dollars given on his real estate and approved by resolution of the council ".

General act amended. **22.** As regards the said town, the words " Superior Court " wherever found in the general act shall be followed by the words : " or Circuit Court in and for the County of Stanstead at Coaticook " and the word " prothonotary " by the words " or clerk of the Circuit Court in and for the County of Stanstead at Coaticook. "

Secretary treasurer to administer oaths. **23.** Any oath required to be taken under the provisions of this or of the general act may be administered by the secretary-treasurer.

Coming into force of act. **24.** This act shall come into force on the day of its sanction.