

CAP. XXVIII.

An Act to amend certain articles of the Municipal Code.

[Assented to 9th May, 1885.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 23 of the Municipal Code is amended by striking out, in the fourth, fifth and sixth lines thereof, the words "from the first day of the month of January, following the time when such territory falls within the required conditions", and replacing them by the following "as soon as such territory falls within the required conditions." Municipal Code art. 23, amended.

2. Article 40 of the said Code is amended by striking out the words "From the first day of the month of January which follows the approval by the Lieutenant-Governor of the resolution declaring such union." Id. art. 40, amended.

3. Article 42 of the said Code is amended by striking out the words "from the first day of the month of January which follows the publication of the resolution." Id. art. 42, amended.

4. Article 46 of the said Code is amended by striking out the words "From the first day of the month of January which follows the approval of the Lieutenant-Governor." Id. art. 46, amended.

5. The following words are added to article 82 of the said Code. Id. art. 82, amended.

"Or the municipal corporation bound for the payment of the common debts and obligations may also, after three months' notice duly served, claim and exact directly from the municipal corporation, charged with the administration of any portion of territory bound for such debts and obligations, the whole share collectively due by all the proprietors or occupants of taxable property comprised in such portion of territory. Exaction of payment of common debts, after notice by corporation bound therefor, from certain corporation.

The corporation, charged with the administration of any such portion of territory so bound, may recover from the rate-payers bound for such debts and obligations, by means of assessments or by-laws which it shall make for such purpose, the amounts which it has so paid." Recovery of amount from rate-payers by such corporation.

6. The first clause of article 293 of the said Code is repealed and replaced by the following : Id. art. 293, amended.

First elections
in newly erect-
ed municipal-
ities.

"In every newly erected local municipality, the first general election of councillors must be held at the same hour on the day fixed by the warden of the county, which day shall not be less than fifteen, nor more than thirty days, after the territory falls within the conditions required to form a new municipality in the case of articles 29, 31, 35 and 37; and in the case of articles 32, 37a and 39, the first general election must be held, in the same manner, on a day which shall not be less than fifteen, nor more than thirty days, after the date of the publication of the resolution."

Id. 301, § 4,
replaced.

7. Paragraph 4 of article 301 of the said Code is replaced by the following :

Imprisonment
upon convic-
tion.

"4. To cause such offender to be imprisoned upon such conviction in the common gaol of the district, or in any house or other place of detention within the limits of the municipality of the county, for a period not exceeding ten days."

Id. art. 307,
amended.

8. Article 307 of the said Code, as amended, is further amended by adding at the end of the first paragraph the following words :

Entry in mi-
nutes of pro-
ceedings of
council

"And the proceedings of such meeting shall be reduced to writing, either on the books of the proceedings of the said council or in a document which will form part of the archives of the said council."

Id. art. 476a,
added.

9. The following article is added after article 476 of the said Code :

Wire fences.

"476a. To order that fences be made of wire along municipal roads at the places which the council shall deem expedient."

Id. art. 488a,
amended.

10. Article 488a of the said Code is amended by adding thereto the following words "and to exercise all the powers granted to village municipalities by articles 637, 637a, 638, 639 and 640, under the same conditions and formalities."

Id. art. 515,
amended.

11. Article 515 of the said Code, as amended, is further amended by adding, after the words "under the present article" at the end of the fifteenth line in the third paragraph, the following words : "as well as the costs occasioned for the erection and repair of the place absolutely required for registry offices."

Id. art. 582a,
added.

12. The following article is added after article 582 of the said Code as amended :

"582a. To require and exact, for the granting of a license, under the previous article, a higher price from persons who do not reside in the municipality than from those resident therein, provided such price shall not exceed forty dollars for carters or common carriers."

Licenses for
non-residents.

13. Article 712 of the said Code, as amended, is further amended by adding, at the end of the first paragraph, the following words "as well as the buildings in which are held the circuit courts and registry offices."

Id. art. 712,
amended.

14. Article 767 of the said Code, as amended, is further amended by adding thereto the following words:

Id. art. 767,
amend.

"Provided always that the opening of such street has become necessary owing to the sale of some lots bordering on such street."

Proviso as to
opening of
street.

15. Article 793 of the said Code, as amended, is further amended by striking out the words "at least ten" in the second line of the fourth paragraph and replacing them by the word "fifteen" and by adding, at the end of the fourth clause thereof, the following words "which notice may be given by registered letter and shall be at the cost of the person giving it."

Id. art. 793,
amended.

16. The following article is added after article 795 of the said Code.

Id. art. 795a,
added.

"795a. If it concerns a front road of two ranges, the municipal council may pass a by-law to divide the said road across for the purposes of maintenance, so that each proprietor or occupant of land shall keep the whole width of the said road upon one-half of the breadth of his land, except in cases where the nature of the soil or other obstacles shall render such division unjust; and, in default of agreement between the parties interested respecting such division, the road inspector of the division shall, upon request of one of the parties, make the division himself."

Division of
works on front
road of two
ranges in cer-
tain manner.

17. The following article is added after article 926 of the said Code.

Id. art. 926a,
added.

"926a. The right of appeal in all cases mentioned in article 926 equally exists when a water-course is in question."

Right of ap-
peal as to
water-courses.

18. Article 1061 of the said Code, as amended, is further amended by adding, after paragraph 3, the following paragraph:

Id. art. 1061,
amended.

"4. From every refusal to homologate a proces-verbal by a county council, sitting otherwise than in appeal, and

Right of
appeal from
refusal by

county council, in certain cases, to homologate processes verbal, &c. from the dismissal, by any county council or any superintendent, of any petition requiring the opening, construction enlarging, changing, altering or maintenance either of a road, bridge or water-course which is or should be under its jurisdiction."

C A P . X X I X .

An Act to add certain provisions to the act respecting Partnerships, being chapter 65 of the Consolidated Statutes for Lower Canada.

[Assented to 9th May, 1885.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

C. S. L. C. c. 65, amended. **1.** The following provisions are added after the schedule to chapter 65 of the Consolidated Statutes for Lower Canada respecting partnerships :

Declaration to be made by trader who, without having partners, uses a style indicating a plurality of members. "8. Every person in the province of Quebec, who is, or who hereafter may be, engaged in business for trading, manufacturing or mechanical purposes, or for purposes of construction of roads, dams, bridges or other buildings, or for purposes of colonization or settlement or of land traffic, and who is not and shall not be associated in partnership with any other persons, but who uses or shall use alone, or who uses or shall use with his own name as his business style some name or designation other than his own name alone, or who uses or shall use his own name with the addition of "and company," or some other word or phrase indicating a plurality of members under the said style, shall cause to be delivered to the prothonotary of the Superior Court of each district and to the registrar of each county, in which such person carries on, or intends to carry on, business, a declaration in writing, signed by such person.

Form and contents of declaration. **9.** Such declaration shall be in the form or in the terms of schedule A, annexed to this act, and shall contain the name, surname, quality and residence of such person, and the style or firm under which he carries on or intends to carry on business, and shall also state that no other person is associated with him in partnership.

When declaration to be made by persons now so trading and by persons who may hereafter so trade. **10.** Persons now engaged in business under a style requiring registration, shall file such declaration within sixty days after the passing of this act ; and those who in future shall engage in business under a similar style shall deposit their declaration within sixty days of the time when such style is first used.