

Stratford, in the county of Wolfe, may be exempted from the provisions of this act by resolution of the county council, and any of the said municipalities may be again submitted thereto by the same authority and in the same manner.” from operation of act.

2. The county council and any of the local councils, of the county of Arthabaska, may regulate by by-law the winter roads, the vehicles to be used thereon and the manner in which the horse or horses or other beasts of burthen be harnessed within their respective municipalities. Power of county council &c., of county of Arthabaska with respect to roads.

3. Section 3 of the said act is repealed and replaced by the following : Id. section 3, replaced.

“ In all the counties above mentioned, as well as in those which are or may hereafter be subject to the operation of this act, whether under the municipal law or otherwise, no person shall be permitted to make use of any winter vehicles other than those mentioned in section 2 of the said act 33 Victoria, chapter 33.” Prohibition as to use of certain vehicles in certain counties.

#### CAP. LXXXIV.

An act to amend the act 39 Victoria, chapter 50, incorporating the City of Sherbrooke, as heretofore amended by the act 40 Victoria, chapter 27, and the act 42-43 Victoria, chapter 60.

[Assented to 10th June, 1884.]

WHEREAS it is desirable to amend the act of the Legislature of the Province of Quebec passed in the thirty-ninth year of Her Majesty's reign, chapter 50, intituled : “ An act to incorporate the City of Sherbrooke,” as heretofore amended by the acts 40 Victoria, chapter 27 and 42-43 Victoria, chapter 60; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows: Preamble.

1. Section 4 of the act 39 Victoria, chapter 50, is repealed and replaced by the following : 39 V., c. 50, s. 4, replaced.

“ 4. The boundaries and limits of the said city of Sherbrooke shall be those of the present town of Sherbrooke, as defined by proclamation on the twenty-eighth day of June, one thousand eight hundred and fifty-two, of His Excellency the Governor-General of the late Province of Canada ; but the said city of Sherbrooke shall be divided Boundaries of city of Sherbrooke. Division into wards.

into four wards ; known as the north ward, the south ward, the east ward and the centre ward, bounded as follows :

Territory comprised in wards.

The North ward to comprise all that part of the city lying north of the south bank of the river Magog and west of the west bank of the River St. Francis ;

The South ward to comprise all that part of the city lying south of the centre line of King street and west of the west bank of the river St. Francis ;

The East ward to comprise all that part of the city lying to the east of the west bank of the river St. Francis ; and

The Centre ward to comprise all that part of the city lying north of the centre line of King street and between the centre line of King street and the south bank of the river Magog and the west bank of the river St. Francis.

39 V., c. 50, s. 7, § 2, amended.

2. Subsection 2 of section 7 of the said act is amended by adding after the word : " municipal " in the fourth line, the words : " and school."

39 V., c. 50, s. 8 and 42-43 V., c. 60, s. 2, replaced.

3. Section 8 of the said act, as replaced by the act 42-43 Victoria, chapter 60, section, 2 is repealed and replaced by the following :

Place and time of holding elections.

" 8. The municipal elections for the said city, under this act, shall be held in the city hall, or at such other place as may be determined by the city council, on the second Monday in the month of January, in each year at nine o'clock in the morning, and public notice thereof shall be given, at least eight days previous to an election, in the French and English languages, by notices posted up at the doors of the churches, or at such other places as may be determined by the said council, by resolution for that purpose ;—such notices to be signed by the mayor or secretary-treasurer of the city, and specifying the day, place and hour at which such election shall take place.

Notice therefor.

By whom to be signed.

Presiding officer to be appointed.

a. The council of the said city, at a session to be held previous to the said election, shall appoint a presiding officer, to conduct such election in the said city hall or other place designated by the said council, as well as deputy presiding officers for the several wards wherein vacancies have occurred, and each such presiding officer and deputy presiding officer shall appoint, under his own handwriting, a poll clerk for his ward, and wherever a poll is necessary, such poll shall be opened for the reception and registration of votes, between the hours of eleven o'clock in the forenoon, and five o'clock of the afternoon of the day appointed for such election.

Deputy presiding officer and poll clerk.

Hours for polling.

Duty of presiding officer or receiver nomination.

b. It shall be the duty of the presiding officer, appointed to hold the election at the city hall, to receive,

between the hours of nine and ten o'clock in the forenoon of the day of such election, the names of candidates being duly qualified for the office, who shall be nominated in writing by not less than five duly qualified electors, each such nomination specifying the ward for which such candidate is proposed.

c. At the hour of ten o'clock of the forenoon, the said presiding officer shall then and there declare, publicly, the names of all the candidates then nominated, with the names of their proposers, and the wards for which they are candidates respectively; and in case there are, for any ward, no more candidates than vacancies to be filled up, then such presiding officer shall declare the candidate or candidates nominated for such ward, to be duly elected; —but in case of there being more candidates than vacancies in any ward, the said presiding officer shall declare the fact, and shall immediately notify the deputy presiding officer, appointed for such ward, of the nomination, giving in such notice the names of the candidates; after which a poll shall be opened in the ward or wards where the number of candidates is in excess of the vacancies to be filled up, such poll to be conducted under the presidency and control of the presiding officer or deputy presiding officers specially appointed for such ward or wards by the said city council.”

Declaration to be made by presiding officer as to candidates nominated.

His duty if more candidates than vacancies in any ward.

Poll to be held.

4. Subsection 8 of section 9 of the act 39 Victoria, 39 V., c. 50, s. chapter 50, is repealed and replaced by the following :

9, § 8, replaced.

“8. Each deputy presiding officer, at any such election, shall forthwith after the election deliver up to the presiding officer of such election the poll-books kept by him duly certified under oath, and the presiding officer shall, within three days from the closing of the election, give each of the councillors so elected special notice of his said election, as well as of the place, the day and the hour appointed by him for the first session of the council to take place after the said election, which shall be not more than eight days from the giving of the notice.

Poll-books, &c., to be delivered to presiding officer after election.

Duty of presiding officer to notify persons elected.

And of the day place and hour of first meeting of council.

The councillors so elected shall enter respectively into office as such at the said first meeting, and shall remain in office until the appointment of their successors.”

When councillors enter into office and for how long.

5. Section 11 of the said act is amended by adding thereto the following :

Id. section 11, amended.

“2. Two members of the council, when there is no quorum present, may adjourn the session, at the expiration of one hour from the time it was established that there was no quorum, to the following day if it be a juridical day, or to any subsequent day, on notice being given by the secretary

Meeting of council may be adjourned if no quorum.

Notice of ad-

journalment to treasurer to the members of the council who were not members. present at the time of adjournment.

Service of notice to be established at subsequent meeting. Effect of absence of service. The service of the notice must be established at the resumption of the adjourned session, and the absence of service of such notice renders every proceeding, adopted at such part of the adjourned session, void.

Entry of hour of adjournment and names of those present. The hour of adjournment and the names of the members of the council present must be inscribed in the minutes of the sitting in the book of the proceedings of the council.

Id. s. 18, § 8, amended. "7. Subsection 8 of section 18 of said act is amended by striking out the words: " the Circuit Court or the District Magistrates Court," in the third and fourth lines thereof, and by substituting in the place thereof: " any competent Court."

Id. s. 30, § 2, amended. "7. Subsection 2 of section 30 of the said act is amended by adding after the said subsection the following clause:

Proviso as to valuation of farming lands for purposes of taxation. " Land used only for farming purposes, within the limits of the said city, shall only be assessed on the valuation roll at fifty per cent. of its value, except five acres thereof, with the buildings thereon, which shall be assessed at their full value.

Council to decide what are farming lands. The council shall decide what lands shall be considered farming lands under this section."

Id. s. 30, § 7, replaced. "8. Subsection 7 of the said section 30 is repealed and replaced by the following:

Power of council to impose taxes upon houses of public entertainment, &c., in the city. "7. And it shall be lawful for the said city council to fix by a by-law or by-laws, and to impose and levy certain annual duties or taxes, in the discretion of the said council, on the proprietors or occupants of houses of public entertainment, taverns, coffee-houses and eating-houses, and on all retailers of spirituous liquors, and on all pedlers and itinerant traders selling, in the said city, articles of commerce of any kind whatsoever, and on all proprietors, possessors, agents, managers and keepers of theatres, menageries, circuses, billiard-rooms, ten-pin alleys, or other places for games or amusements of any kind whatsoever, and on all auctioneers, grocers, bakers, butchers, hawkers, hucksters, carters and livery-stable keepers, and on all traders and manufacturers and their agents, and on all proprietors or keepers of lumber-yards, wood-yards or coal-yards and slaughter-houses in the said city, and on all money-changers or exchange-brokers, pawn-brokers and their agents, and on all bankers and agents of bankers and banks, and on all insurance companies or their agents, brewers, distillers, wholesale liquor dealers, and generally

And generally on all com-

on all commerce, manufactures, callings, arts, trades and professions which have been or which may be introduced into, or exercised in the said city, whether the same be or be not mentioned in this act.” merce, manu-  
factures, &c.,  
in the city.

9. The said section 30 of the said act is further amended by adding thereto the following subsection: Id. s. 30, fur-  
ther amended.

“ 8. And it shall be lawful for the said city council to fix by by-law, to impose and levy certain annual duties, taxes or license fees, in the discretion of the council, on all cabs, sleighs, busses, carts, waggons, trucks and carriages of any description that may be used for hire and for the conveyance of either passengers, live-stock, goods, wares, merchandize, lumber, building materials, ice, and freight of any description, and to regulate the same; to establish a tariff of charges therefor within the limits of the city, and also to regulate the width of the tires to be used on the wheels of all cabs, busses, carts, trucks, waggons and carriages in the said city; Council may  
levy duties or  
license fees on  
cabs, sleighs,  
&c., carters,  
&c.  
Establish  
tariff for car-  
ters, &c.

To impose and levy by by-law an annual duty or tax on all horses kept in the said city, and whether used for private purposes or for hire, except horses used for farming or breeding purposes only; which tax shall be recoverable from the owner, possessor or keeper of such horse or horses.” Levy taxes  
upon horses,  
&c.

10. Section 31 of the said act, as amended by the act 42-43 Victoria, chapter 60, section 7, is repealed and replaced by the following: Id. s. 31 as  
amended by  
42-43 V., c. 60,  
s. 7, replaced.

“ 31. Every person in the said city practising the profession of advocate, physician, land-surveyor, notary or any other liberal profession within the limits of the said corporation, may be assessed at the sum of not less than three dollars annually; every person in the said city, receiving an annual salary of five hundred dollars and upwards therein, however payable, may be taxed at the rate of one per centum upon the annual amount thereof, and the said city council may name a person or persons, to make the roll of the persons and movable property, mentioned in the different parts of the foregoing sections. Taxes upon  
professional  
men.  
Income tax.

Every person paying such special tax, though not being in possession as proprietor or tenant of real estate in the city, shall be qualified to vote at any municipal election, provided he has the other necessary qualifications. Qualification  
to vote of per-  
sons so taxed.

These taxes, as well as the taxes upon stock in trade under subsection 3 of section 30 of this act, shall be deemed special taxes, and every person paying such tax shall receive credit therefor on any real estate tax for which he may be liable to the city.” Such taxes  
deemed spe-  
cial taxes and  
provided taxes  
upon real es-  
tate are paid  
by same per-  
son.

39 V., c. 50, s. 32, § 28, replaced.  
Council may prohibit or permit erection of steam-engines, &c., and provide for their inspection.

**11.** Subsection 28 of section 32 of the said act 39 Victoria, chapter 50, is repealed and replaced by the following :

" 28. To prohibit the erection of steam-engines or boilers, within the limits of the city, for manufacturing or other purposes except by leave of the council, and to provide for the inspection of such engines or boilers and to impose and levy a fee therefor."

Id. s. 33, § 2, replaced.

**12.** Subsection 2 of section 33 of the said act is repealed and replaced by the following :

Council may regulate, construction, &c., of chimneys, &c.

" 2. For regulating the construction, dimensions, height and elevation of chimneys above the roofs, or even, in certain cases, above the neighboring houses and buildings, and within what delay they shall be raised or repaired ; and for the regulation and inspection of houses and buildings in the said city, both as regards those constructed and those in the course of construction, and for the appointment of an inspector of buildings and to define and determine his duties."

Appoint inspector of buildings, &c., define his duties.

39 V., c. 50, s. 38, amended.

**13** Section 38 of the said act is amended by adding thereto the following subsection :

Publication of notices.

" 2. All public notices shall be validly and sufficiently given by publication in two newspapers published within the limits of the said city, in one newspaper in the English language, and in one newspaper in the French language.

Notices heretofore published declared valid.

All public notices which have heretofore been published in the said city, in the manner above indicated, shall be held to have been legally and sufficiently published.

Publication presumed to have been legally made Pending cases provided for.

The publication of such notices shall always be presumed to have been legally made, but such presumption may be contradicted by proof. This shall no apply to cases pending in court at the date of the sanction of this act "

42-43 V., c. 60, s. 12, amended.

**14.** Section 12 of the act 42-43 Victoria, chapter 60, is amended by striking out the word " three " in the third and twenty fifth lines, and substituting therefor the word " two."

Corporation may issue debentures for certain purposes.

**15.** The council of the City of Sherbrooke may issue debentures to the extent of thirty thousand dollars to meet the present indebtedness of the city to the Eastern Townships Bank, incurred for permanent improvements.

By-law therefor to be submitted to electors.

The by-law ordering and authorizing the issue of such debentures shall be submitted for the approval of the electors of the municipality.

Coming into force.

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