

amended, and whereas it is expedient to grant the prayer of such petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

38 V., c. 77, s. 62, repealed.

1. Section 62 of the said act 38 Victoria, chapter 77, is repealed.

Corporation of Beauharnois to repair, &c., certain bridge.

2. All works of construction, reconstruction, maintenance and repairs of the St. Louis Bridge, near the old seigniorial manor in the limits of the town of Beauharnois, shall, in future, be at the charges of the corporation of the said town.

Coming into force.

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

CAP. LXXXVII.

An Act to further amend the act 27 Victoria, chapter 23, and the act 39 Victoria, chapter 47, in order to modify and better define the general powers of the corporation of the town of Joliette and for other purposes.

[Assented to 10th June, 1884.]

Preamble.

WHEREAS the mayor and the councillors of the town of Joliette have, by petition, represented that the act 27 Victoria, chapter 23, intituled " An act to incorporate the town of Joliette " and the act 39 Victoria, chapter 47, intituled " An act to amend the act 27 Victoria, chapter 23, intituled ' An act to incorporate the town of Joliette, ' " should be amended, and whereas it is expedient to grant the prayer contained in the said petition ;

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

27 V., c. 23, secs. 10 and 29 and 39 V., c. 47, s. 7, repealed.
placed.
Vacancies in council owing to disqualification, &c., of members.

1. Sections 10 and 29 of the act 27 Victoria, chapter 23, and section 7 of the act 39 Victoria, chapter 47, are repealed and replaced by the following :

" 10. In any case in which one of the persons elected councillors should refuse to act as such councillor, or in case his election being contested shall be declared null, or in case of the death of a councillor or absence from the town of Joliette during three consecutive months or incapacity of acting as such, either from sickness, infirmity, or any other cause during three consecutive months, or in case any person occupying the office of councillor of the said

town should be declared insolvent or claim the benefit of any law passed for the relief or protection of insolvent debtors or entering into Holy Orders or becoming a minister of the Gospel in any religious denomination or being appointed judge or clerk of the Court of Queen's Bench or of the Superior Court or a member of the Executive Council or becoming responsible for the revenues of the said town, in whole or in part, or being absent from the meetings of the council for a period of three consecutive months, or in case of his resignation of the office of councillor of the said town when the same shall have been tendered by such councillor for reasons deemed sufficient by the council, being accepted by the said council, such person shall, from the fact of the existence of each of the circumstances above enumerated, be disqualified and his seat in the said town council shall become vacant and such councillor shall be replaced; and in such case the municipal electors of the town of Joliette shall proceed to hold the election of another person to replace such councillor, in the same manner as for ordinary elections. New election in such cases.

2. The first subsection of section 20 of the act 27 Victoria, chapter 23 is repealed, and replaced by the following: 27 v., c. 23, s. 1, replaced.

"1. The council, at its first meeting held after the general election of councillors or at any other subsequent meeting, shall appoint an officer who shall be designated under the name of "the secretary-treasurer of the town of Joliette," if such officer be not already appointed; and such officer shall be the secretary-treasurer of the town of Joliette so long as he shall not have given in his resignation to, or shall not have been dismissed by, the council." Appointment of secretary-treasurer.

3. The fourth subsection of the said section 20 above mentioned is also repealed and replaced by the following: Id. s. 20, § 4, replaced.

"4. He shall give two sureties whose names shall be approved by a resolution of the council before the security be accepted, which sureties shall bind themselves, jointly and severally with the secretary-treasurer, for a sum of five thousand dollars, and their obligation shall extend to the payment of all sums of money for which the said secretary-treasurer shall, at any time, be accountable towards the corporation both for principal and interest and for costs, penalties and damages which he may incur in the exercise of his office; provided always that it shall be lawful for the said secretary-treasurer, instead of giving two sureties, as aforesaid, to give to the council as security a policy, in a sound and solvent insurance company, to the amount of the said sum of five thousand dollars." Security to be furnished by secretary-treasurer.

Oath of
office.

And the said secretary-treasurer shall be bound, before acting as such secretary-treasurer to make oath before a justice of the peace to well and faithfully perform the duties of his office."

Id. ssection 20
amended by
adding §§ 17,
18, 19.

4. Section 20 above mentioned is further amended by adding immediately after subsection 16 thereof the following subsections:

Appointment
of assistant
secretary-
treasurer.

" 17. The secretary-treasurer may, from time to time, appoint an assistant secretary-treasurer with the same rights, powers and privileges and subject to the same obligations and penalties as the secretary-treasurer himself, except as regards security;

Assistant sec-
retary-treas-
urer to per-
form duty of
secretary-
treasurer
in case of
vacancy.
When assis-
tant secretary-
treasurer
enters into
office.
Responsibility
of secretary-
treasurer for
his assistant.

18. In case of vacancy in the office of secretary-treasurer the assistant secretary-treasurer shall continue to perform the duties of that office until the vacancy be filled;

19. The assistant secretary-treasurer shall enter into office after having taken the oath to well and faithfully perform the duties of his office; he may be dismissed and replaced at pleasure by the secretary-treasurer.

In the exercise of his functions, the assistant secretary-treasurer shall act under the responsibility of the secretary-treasurer who appointed him and of the sureties of that officer."

27 V., c. 23, s.
24 and 39 V.,
c. 47, s. 10,
replaced.

5. Section 24 of the act 27 Victoria, chapter 23, and section 10 of the act 39 Victoria, chapter 47, are hereby repealed and replaced by the following:

Deposit of val-
uation roll
and notice
thereof and of
date fixed for
revision.

" 24. When the assessors shall have made a valuation of all the rateable property of the said town, they shall deposit the valuation roll with the secretary-treasurer, and public notice of such deposit shall be given by the secretary-treasurer, in which notice shall be stated the day on which the council shall commence the revision of the said valuation roll;

Revision of
valuation roll.

2. The town council shall, within thirty days from the date of such notice, examine and revise the said valuation roll, and amend the same if it think proper, even if no complaint or application have been made to it, by assessing rateable property whose entry has been omitted, and by inserting such omitted property as well as the value thereof, and all other particulars connected therewith, and by striking from the said roll all real estate therein mentioned through error, by fixing at such figure, as it may deem proper, every valuation of rateable property which it may deem to have been made over or below its true actual or annual value, or by correcting the names of the persons inscribed therein, or the description of the lots of land therein mentioned, or by inserting those which the assessors may have omitted to enter;

3. Whosoever shall deem himself aggrieved by the valuation roll of the rateable property, made by the said assessors, may apply to have the same amended so as to have justice done to him, by filing his written application in the office of the secretary-treasurer on or before the day specified for the revision of the said valuation roll by the council, or by making a verbal complaint before the council at the time of such revision ;

Complaints.

4. Before proceeding to examine and revise the said valuation roll, the council shall inform the inhabitants of the said town, by public notice, of the day and hour of holding the session at which they shall commence such examination, which examination or revision of the valuation roll shall commence at the first meeting of the council after the notice of the deposit of the said roll, and shall be continued at each subsequent meeting of the said council which shall be held in the thirty days during which the said roll shall be deposited, as aforesaid ;

Notice of revision.

5. When proceeding to the revision of the said valuation roll, the council shall take cognizance of the complaints filed in the office of the said secretary-treasurer or made verbally before the said council, and shall hear the assessors if the latter so desire, and all parties interested, as well as their witnesses, under oath, which oath shall be administered by the mayor or by a councillor presiding at such meeting ;

Duties of council upon revision.

6. Every amendment made by the said council to the valuation roll shall be entered on the roll itself, or on a paper which shall be annexed thereto, and be initialed by the secretary-treasurer ;

Entry of amendments upon roll.

7. At the last meeting of the council which shall be held during the thirty days of such deposit, as aforesaid, the said valuation roll shall be declared closed for a year, unless the council be obliged to adjourn, owing to the number of claims and complaints which have been filed ; in which case the said valuation roll shall be declared closed only after all the claims shall have been heard and decided ;

Closing of valuation roll.

8. If, at the expiration of the said thirty days during which the said roll shall be deposited, the council have not proceeded to revise the said roll, or have not completed such revision, the said valuation roll shall, *ipso facto*, be closed and remain in force until it be replaced by another valuation roll duly closed ;

Proviso, if roll has not been revised within 30 days.

9. If after the said valuation roll shall have been closed, as aforesaid, some properties in the said town decrease considerably in value through fire, demolition, accident or any reasonable cause whatsoever, it shall be lawful for the said council, upon the petition of the pro-

Reduction of valuation of property in certain cases.

prietor, to cause the valuation of such property to be reduced by the assessors to its actual value ;

Annual valuation of stock in trade.

10. The assessors, shall further be obliged, upon the order of the council, to value, every year, the stocks of goods owned in the said town of Joliette ;

Interpretation of word " *assesseurs*."

11. Wherever the word " *assesseurs*" is mentioned in the French version of the said act 27 Victoria, chapter 23, as well as in that of the act 39 Victoria, chapter 41, it shall mean " *estimateurs*." "

27 V., c. 23, s. 25, replaced.

6. Section 25 of the act 27 Victoria, chapter 23, is repealed and replaced by the following :

Appointment of auditors.

" 25. At the first meeting of the council following each general election or at any subsequent meeting of the said council, one or two auditors shall be appointed to audit the accounts of the corporation and they shall take the following oath before a justice of the peace :

Oath of office.

" I, —, having been appointed to the office of auditor of the town of Joliette, do hereby swear that I will faithfully perform the duties thereof to the best of my knowledge and ability, and I declare that I have not, directly or indirectly, any share or interest whatever in any contract or employment with or under the council of the town of Joliette. So help me God." "

27 V., c. 23, s. 26, replaced.

7. Section 26 of the act 27 Victoria, chapter 23, is repealed and replaced by the following :

Duties of auditors.

" 26. It shall be the duty of the auditor or auditors to examine, approve or disapprove the accounts of such corporation which may be entered in its account-books or concern it, and which may relate to any matter or thing being under the control and jurisdiction of the said town council and be then still unsettled, and to report to the town council at least every six months and oftener if required by the council.

Penalty upon auditor refusing to perform duties.

Every auditor, appointed by the council, who shall refuse or neglect to fulfil the duties imposed upon him by this section in the time above mentioned or at any other time which shall be indicated to him by the council, shall incur a penalty of twenty dollars for each infringement, which penalty shall be recovered by the corporation by prosecution before the mayor, a councillor or a justice of the peace or before the Circuit Court for the district of Joliette."

Section 34a added to 27 V., c. 23.

8. The following section is added after section 34 of the act 27 Victoria, chapter 23 :

Aid establishment of manufactures.

" 34a. The council may, by by-law, aid the establishment manufactures and industries :

1. By subscribing or holding shares in any company By subscrib-
ing, &c.,
shares.
formed for such purpose ;
2. By giving or lending money or debentures to such By giving or
lending money
or debentures.
company or to any person or firm of persons who shall
undertake to establish manufactures or industries in the
town of Joliette, but such by-law shall not come into Proviso as to
approval of
by law f.r
such purpose.
force until it shall have been approved by the majority in
number and value of the proprietors of real estate in the
said town."

9. The first subsection of section 39 of the act 27 Victoria, 27 V., c. 23, s.
39, amended.
Who shall pay
costs of trans-
port.
chapter 23, is amended by striking out the words " and the
costs of transport in effecting such imprisonment shall be
borne by the town council " in the twenty-second and
twenty-third lines of the said subsection.

10. Section 43 of the act 27 Victoria, chapter 23, is 27 V., c. 23, s.
43, amended.
amended, by replacing the words " within fifteen days "
in the seventh and eighth lines thereof by the words
" during thirty days."

11. Subsection 5 of section 50 of the act 27 Victoria, 27 V., c. 23, s.
50, § 5, amend-
ed.
chapter 23, is amended so as to read as follows ;
" 5. All buildings, grounds and property occupied or Certain build-
ings, &c., oc-
cupied as hos-
pitals, &c.
possessed only as hospitals or charitable or educational
establishments."

12. Section 13 of the act 39 Victoria, chapter 47, is re- 39 V., c. 47, s.
13, replaced.
pealed and replaced by the following :

" 13. Section 33 of the act 27 Victoria, chapter 23, is 27 V., c. 23, s.
33 amended
by provisions
added after §
26.
amended, by adding after subsection 26 the following
provisions ;

26a. To make by-laws for the protection and manage- By laws to re-
gulate water-
works.
ment of the water-works and public wells at present
constructed in the said town of Joliette, to prevent the
water of the aqueduct from being fouled or used unneces-
sarily or in contravention of such by-laws, to restrict the
use thereof as circumstances may render the same neces-
sary in the opinion of the said council ; to forbid any
person from giving the said water or allowing it to be
taken by those from whom the council might have taken
it away, or to whom it might have refused it, as hereinafter
provided, and to impose a penalty upon every one infring-
ing any of such by-laws ;

26b. It shall be lawful for the said council, to enable it to Imposition of
special taxes
for construc-
tion of water-
works and to
form sinking
fund.
meet the interest on the money expended for constructing
the water-works and to establish a sinking fund, to impose
upon all proprietors, tenants or occupants of any house or
portion of a house used by any person or family either as a

private dwelling, hotel, office, store, shop or anything else of a similar nature, wherever the said council causes or shall cause such water to be conducted at its expense or shall have notified such proprietor, lessee or occupant of a house, part of a house, hotel, office, store, shop or other similar building occupied by such owner, proprietor, lessee or occupant, whether such proprietor, lessee or occupant, makes use of or does not make use of such water, an annual special tax based on the annual value or rental of such house, or portion of a house or other similar building occupied by such proprietor, lessee or occupant, according to the valuation roll in force in the town of Joliette, of such house, or portion of a house, hotel, office, store or other similar building, according to the tariff or scale which the said council may think proper to make.

Payment of
such annual
tax.

Such annual tax or compensation shall be payable half-yearly by every person obliged to pay the same at the dates fixed or to be fixed by the said council; and the proprietor of a house, dwelling, office, store, shop, with one or more tenants, sub-tenants or occupants, shall be obliged to pay such annual compensation if he refuse or neglect to give each such tenant, sub-tenant or occupant a distinct and separate supply pipe.

Corporation
may make
special arrangement to supply water to persons outside of town.

It shall be further lawful for the said council to make special arrangements with the parties interested to supply water to any persons outside of the limits of the town, provided they comply with the by-laws of the town respecting the management of the water-works, and also to supply water for steam-engines, breweries, distilleries, tanneries, manufactories, mills, livery-stables, hotels or in all other special cases, either within or without the said town of Joliette.

Corporation
may stop
water supply
if rates are not
paid, &c.

26c. It shall be lawful for the said council to stop the water supply of any person refusing or neglecting to pay the said yearly or half-yearly special tax or the said compensation for water, and of any person allowing the said water to be wasted, or using it in contravention of the by-laws of the said town, or refusing to give admission, as hereinafter provided for, into his house or upon his property to the officers appointed by the council to manage and superintend the said water-works, and such person shall nevertheless continue to be responsible for the arrears of taxes and be bound to pay the same and also to pay any special yearly or half-yearly tax as aforesaid which may hereafter become due as if such person made use of such water; and the said council shall not be responsible for the quantity of water to be supplied under this section, and no one shall, on account of insufficient supply of water, refuse to pay such special yearly or half-yearly tax nor such compensation for the use of the water as aforesaid.

26d. The said council may appoint such officers as it may deem expedient for the management of the water-works, and such officers shall have the right to enter into any house or building whatsoever, or upon any property in the said town and outside of the same, to ascertain whether the water from the water-works is wasted and whether the by-laws relating to such water-works are faithfully observed, and it shall be the duty of the owner or occupant of every such house, building or property to allow the said officers to visit such house, building or property as aforesaid, under pain of being deprived of the use of such water so long as they shall not allow or shall prevent such inspection by the said officers, and further under penalty of a fine not exceeding twenty dollars or an imprisonment not exceeding one calendar month in default of payment of the fine and costs.

Corporation may appoint officer to manage water works.

Penalty upon persons refusing admission to officers, &c.

26e. The by-law made and adopted by the said council of the town of Joliette, at its session of the eleventh April, one thousand eight hundred and eighty-three, and intitled: "By-law, No. 94, for the management and administration of the water-works of the town of Joliette, and to fix the tariff of water-rates," shall remain in force until it be repealed; but the said council may, when it thinks proper, alter the tariff or scale of the tax or water-rate therein mentioned, by imposing the annual tax or water-rate under the provisions of this section.

By-law of 11 April 1883, ratified, &c.

26f. In order to allot and establish in as just and as equitable a manner as possible, the annual tax or rate to be paid by each person bound to pay the same, it shall be the duty of the assessors appointed by the said council, when they shall make the valuation roll of all the taxable real estate of the city, to assess the annual value of every house, or portion of a house occupied as an abode or dwelling, as well as every office, store, shop or other similar building to which water shall be supplied by the said council by means of the said water-works, designating the buildings above mentioned by special numbers entered opposite the same in distinct and separate columns in the valuation roll, the amount of the annual value for the purpose of such yearly tax or water-rate.

Duties of assessors so as to equitably apportion assessment.

Notwithstanding the provisions of subsection 26c of this section, it shall always be lawful for the said council to base upon the real value of the real estate, the said tax or water-rate to be paid by the owners of such houses to which water is supplied and upon the annual value or rental of such house, half or portion of a house occupied as a dwelling by an occupant or tenant, as the said council may deem proper.

basis of water tax.

Payment of
water tax, &c.

26g. The said tax or water rate shall be paid half-yearly into the hands of the secretary-treasurer of the town of Joliette by every person bound to pay the same, in the same manner as the municipal taxes of the town of Joliette, and the provisions of section 35 of the act 27 Victoria, chapter 23, shall apply to the collection of the said water-rate, or by a suit brought in the name of the corporation of the town of Joliette, before a justice of the peace or before the Circuit Court for the district of Joliette."

39 V., c. 47, s.
14, repealed
and 27 V., c.
23, s. 35 re-
enacted.

13. Section 14 of the act 39 Victoria, chapter 47, is repealed, and section 35 of the act 27 Victoria, chapter 23, is again put into force.

39 V., c. 47, s.
13, replaced.

14. Section 16, of the act 39 Victoria, chapter 47, is repealed and replaced by the following :

Power to issue
debentures to
consolidate
certain debts.

" 16. In order to consolidate certain debts of the corporation of the said town which exist at present and which have been incurred in purchasing steam fire-engines, in building a market and town-hall, constructing a water-works and hydrants and in other extensive works and improvements, the said town council is hereby authorized to issue bonds or debentures of the corporation, or otherwise contract, on the credit of the town of Joliette, a loan not exceeding one hundred thousand dollars; which debentures, so issued, to consolidate and extinguish the debts aforesaid, shall be signed by the mayor, countersigned by the secretary-treasurer and bear the seal of the corporation and shall bear interest, payable half-yearly on the first of June and December in each year, at a rate not exceeding six per cent per annum and shall be payable to bearer or to order, within a specified number of years, either in the province or elsewhere as the said council may order.

Signature
upon such de-
bentures.

Rate and pay-
ment of inte-
rest.

Interest-cou-
pons.

2. To such bonds or debentures of the corporation may be annexed coupons for the amount of the half-yearly interest thereon, which coupons, being signed by the mayor and the secretary-treasurer, shall be respectively payable to the bearers thereof when and so soon as the half-yearly interest mentioned therein shall be due and the possession of each such coupon by the said corporation shall be *prima facie* proof that the half-yearly interest mentioned therein has been paid according to the tenor of such bond or debenture of the corporation; and all such corporation bonds or debentures, both in principal and interest, shall be secured by privilege upon the immovable property of the said corporation; provided no such debenture shall be issued for an amount less than five hundred dollars each.

Privilege of
such debentures.

Proviso as to
amount of de-
bentures.
Amount to be
retained for
payment into
sinking fund

3. It shall be duty of the secretary-treasurer of the town of Joliette to take each year, from and out of the annual revenues and the funds of the corporation of the town of Joliette,

from whatever source they may be derived, and before the payment of any appropriation whatsoever of the said revenues or funds, a sum of money equal to at least one per cent. or more, of the amount of the corporation bonds or debentures issued under this act; which said sum of money the said secretary-treasurer shall keep apart from all other monies to invest and apply as the said council may order, solely and simply as sinking fund for the extinction of the debt incurred for the issue of the said corporation bonds or debentures;

It shall also be the duty of the secretary-treasurer to take, at the same time, from and out of the annual revenues of the said corporation, from whatever source they are derived, and before the payment of any appropriation whatever of the said revenues or funds, such sum of money as may be sufficient for the half-yearly payment of the interest due on the debt created by the issue of such corporation bonds or debentures.

4. It shall be the duty of the said secretary-treasurer to lay before the council, at one of its meetings in the month of January in each year, a certificate signed by him and countersigned by the mayor of the said town, attesting that he has faithfully fulfilled the obligations imposed upon him by this section, and in default of his so doing the secretary-treasurer shall, *ipso facto*, be liable, towards the said corporation, to a penalty not exceeding two hundred dollars recoverable before any court of competent jurisdiction by action of debt brought by the said corporation, which said fine shall form part of the sinking fund; and it shall be the duty of the mayor or of the person acting as such for the time being and of the other members of the town council to see that the provisions of this section are strictly observed, every year, by the persons whose duty it is to observe them, and within the time prescribed, and that the sum set apart as sinking fund be invested without delay in public securities of the Dominion of Canada or of this province or in shares of such incorporated banks as offer the most ample security and are most beneficial for all concerned; provided the same shall always be at the disposal of the secretary-treasurer when he shall require it for the purpose of redeeming, by order of the council, any of the said bonds or debentures issued as aforesaid.

5. It shall be lawful for the said town council, if the lenders consent thereto, to employ in the redemption of bonds, instead of depositing in savings banks or investing in securities of the Dominion of Canada or of this province, or in bank shares as aforesaid, the annual sums which may have been intended to form the sinking fund.

Certain loans,
&c., already
effected de-
clared valid
and legal.

6. All loans of monies effected and to be effected by the council of the town of Joliette, for and in the name of the corporation of the said town, upon resolutions of the said council to pay and redeem other loans made by the council to meet the requirements of the said corporation and pay the expense occasioned by the purchase of steam fire-engines, the building of a market and town-hall, the construction of water-works and erection of hydrants and other extensive improvements and works in the said town of Joliette, are hereby declared valid and legal as if they had been effected under the authority of by-laws duly approved by the municipal electors of the said town of Joliette.

Provido as to
future loans.

Provided that in future no loan other than the one effected or to be effected for the purpose of consolidating the present debts of the town, shall be valid unless under a by-law approved by the municipal electors under the provisions of sections 356, 357, 358, 359, 360, 361 and 362 of the act 40 Victoria, chapter 29.

Council may
establish a
police force.

15. It shall be lawful for the said council of the town of Joliette, by by-law, to establish a police force for the said town, and for that purpose to appoint, from time to time, as occasion may require or as may be necessary, either from amongst the policemen now under the control of the corporation or from amongst other persons, a sufficient number of competent men, who shall be sworn before the mayor of the town or before a justice of the peace for the district of Joliette, to act as constables and keep the peace during day and night, and to prevent thefts and other felonies and arrest all persons disturbing the peace.

Officers of such
force.

2. It shall also be lawful for the said council to appoint all the officers whom it may deem necessary or any police committee appointed by the council from amongst its members, to superintend and manage the said constabulary or police force, and to give names and rank to such officers and assign them the duties which the council may think proper; and the said officers and men, who shall be so appointed, shall obey all lawful orders and commands which they shall at any time receive from the said council or the said police committee.

Duties of such
officers.

3. Each and every of the officers so appointed shall have, while in office, not only all the powers and privileges of a constable appointed under this act, but also all the powers necessary for the lawful performance of all the duties lawfully imposed by the said council; and the said council or any of its members authorized to that effect by the said council may, at any time, suspend or dismiss any officer or constable appointed under this act whom they may consider to have been negligent in the performance of his

Dismissal of
police officers,
&c.

duty or otherwise incapable of performing his duty and to appoint other persons in his place; and the officers of the said constabulary or police force shall, with respect to the government, control, dismissal or suspension of all constables so appointed, have all the powers which the council may deem it advisable to give each of such officers respectively by by-law to that effect.

4. It shall be lawful for any constable when on duty ^{Powers of police constables.} to arrest all idle and disorderly persons whom he may find disturbing the public peace or whom he may have good reason to suspect of any evil design, and every person whom he may find lying in any field, road, street, yard or other places or loitering therein, and not giving a satisfactory account of himself, to deliver such person so arrested into the custody of the officer or constable appointed under this act, who shall be on duty or in charge of the police station or guard-house established for that purpose by the said town council, in order that such person be kept in safe custody until he can be brought before the mayor, pro-mayor one of the councillors of the said town or before a justice of the peace to be dealt with according to law.

5. In addition to the powers and authority conferred by the preceding subsections upon the said constabulary force, ^{Power to arrest on view,} it shall and may be lawful for any officer or constable of the said force, by day or by night, to arrest on view any person infringing any of the by-laws of the said town of Joliette or of the council thereof, the infringement of which is punishable; and it may and shall be lawful also for each such officer or constable to arrest every such person infringing any such by-law, ^{And upon information, immediately after offence.} immediately, or after the offence has been committed, upon sufficient information being given to him as to the nature of the offence and to the persons who have committed it.

6. All persons so summarily arrested may be at once conveyed to the court house of the district of Joliette, or to any other place which the council may be pleased to indicate by by-law, to stand their trial before the said mayor, pro-mayor, or justice of the peace who may be present, or in order that they may give bail or recognizance before the said mayor, pro-mayor, or justice of the peace, to appear on the day fixed by the said mayor, pro-mayor or justice of the peace, to answer to the charge or complaint brought against them and for which they may have been arrested as aforesaid. ^{Persons so arrested where to be confined.}

7. In every such recognizance so taken, the parties thereto shall bind themselves equally for the same amount, and it shall be subject to the same procedure as to the forfeiture thereof, before the said mayor, pro-mayor, or justice of the peace, as the recognizance taken before a justice of the ^{Obligations undertaken by recognizance.}

Proviso.

peace and forfeited before the court of general sessions of the peace for the district of Joliette ; provided that nothing herein contained shall prevent the persons so summarily arrested from being examined and tried at once when they are brought to the court-house or other place fixed by the said council as aforesaid, before the said mayor, pro-mayor or justice of the peace, if the offence for which such persons have been arrested as aforesaid, can be legally brought before such mayor, pro-mayor, or justice of the peace.

Extension of
the recogni-
zance in cer-
tain cases.

16 And if the party does not appear but applies, by any person in his name, to postpone the hearing of the charge against him, and if the mayor, pro-mayor or justice of the peace think proper to consent thereto, the said mayor, pro-mayor or justice of the peace shall be at liberty to continue such recognizance until a later period which he shall specify ; and when the affair is heard and decided, either by the charge being dismissed or the party being called upon to answer to the said charge later on, the recognizance, for the appearance of the said party before the mayor, pro-mayor or justice of the peace, shall be cancelled.

Assaulting
constables.

17. If any person assaults or resists or aids or incites another person to assault or resist an officer or constable, appointed in virtue of this act, in the execution of his duty, such delinquent shall, upon conviction before the mayor, pro-mayor or justice of the peace, incur and pay for each such offence, a fine not exceeding twenty dollars or be liable to an imprisonment of not more than thirty days.

Interpretation
and coming
into force.

18 The present act shall be deemed to form part of the act 27 Victoria, chapter 23, and shall come into force on the day of its sanction.

CAP. LXXXVIII.

An Act to amend certain acts respecting the incorporation of the Town of Berthier, and to grant it additional powers.

[Assented to 10th June, 1884.]

Preamble.

WHEREAS the council of the town of Berthier has, by petition, represented that the powers conferred upon it by the various acts concerning the incorporation of the town of Berthier, have become insufficient for the proper administration of the municipal affairs of the said town, and