

CAP. CIII.

An Act to incorporate the Town of Richmond.

[Assented to 27th May, 1882.]

WHEREAS the provisions of the Municipal Code do Preamble.
 not meet the present wants of the Corporation of
 the Village of Richmond, and it has become necessary to
 make more ample provisions for the internal management
 of the said village; and whereas the inhabitants of the said
 village are desirous that the same should be incorporated
 as a town and 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:

CORPORATION.

1. The inhabitants of the said Town of Richmond, as here- Town incorpo-
 inafter described, and their successors shall be and are rated.
 hereby declared to be a body politic and corporate by the
 name of: "The Corporation of the Town of Richmond" and Name of cor-
 by that name they and their successors shall have perpetual poration.
 succession, and shall have power to sue and to be sued, to
 plead and to be impleaded, in all courts and in all actions,
 causes and suits-at-law whatsoever; and shall have a
 common seal, with power to alter and modify the same, at Seal.
 their pleasure; and shall in law be capable of receiving General
 by donation, of acquiring, holding and disposing of, by powers.
 any title or in any manner whatever, any property, real or
 movable, for the use or benefit of the said town; of becoming
 parties to any contracts or agreements in the management
 of the affairs of the town, or for its benefit, and of giving,
 endorsing or accepting any notes, bonds, drafts or other
 instruments or securities for the payment of any sum of
 money or in discharge, recognition, or execution of any
 right or obligation whatever; and of borrowing money, Power to bor-
 for any purpose, within the jurisdiction of the council of row.
 the said town, either upon debentures, or by hypothecating
 the immovable property of the town for that purpose.

GENERAL PROVISIONS.

2. All by-laws, ordinances, agreements, dispositions and By laws &c., of
 engagements whatever, passed and entered into by the village con-
 municipal council of the said village of Richmond, as here- tinued in force
 tofore existing, shall continue to have full force and effect, &c.
 as though such by-laws, ordinances, agreements, dispo-

sitions and engagements had been passed and agreed to by the council of the said town of Richmond, as hereby constituted, until such time as such by-laws, agreements, ordinances, dispositions or engagements shall be formally rescinded, abolished, or amended by the council of the said town, or fulfilled. And the said corporation of the town of Richmond shall succeed to and be substituted in all the engagements, rights, debts and obligations of the corporation of the village of Richmond as now existing.

Substitution of town in all rights &c., of village.

By laws &c., of village to continue in force until repealed.

3. The by-laws, orders, rolls and municipal acts, which governed the territory heretofore constituting the village of Richmond, shall continue in force until they are amended, repealed or replaced by the town council to be hereafter elected; and the mayor and councillors of the said village of Richmond shall remain in office until the elections under this act have taken place, and shall discharge their functions as though they had been elected under this act; and all municipal officers of the said village of Richmond shall continue in office until their successors are chosen or appointed under this act.

BOUNDARIES.

Limits of the town defined.

4. The town of Richmond shall comprise all that tract of land known as lots numbers fifteen, sixteen, seventeen and eighteen in the fourteenth range of lots in the township of Cleveland, district of Saint Francis, the portion of the lot number fourteen, in the fifteenth range of the said township of Cleveland, now used and occupied as the site of Saint Ann's church, Richmond, and the burial ground in connection with the said church, and the emplacement and premises heretofore belonging to Andrew Donnelly, of the said township of Cleveland, on the lot number nineteen, in the said fourteenth range of lots in the said township of Cleveland, lying between the highway leading from the village of Richmond to the township of Kingsey. The said tract of land being bounded in front towards the south west by the river St. Francis, in rear towards the north east, on the said lot number nineteen, by the said highway, on the lots numbers eighteen, seventeen, sixteen and fifteen by the concession line between the fourteenth and thirteen ranges, and on the lot number fourteen in the said fifteenth range, by the present fence of the said Saint Ann's church and the burial ground attached to the said church; on one side, towards the south, partly by the property belonging to William Miller or representatives, and partly by the south side line of the said lot number fifteen in the said fourteenth range of the said town-

ship of Cleveland, and on the other side, towards the north, partly by the north side line of the said lot number eighteen in the said fourteenth range of Cleveland, and partly by the property of one John Mulvena or representatives; as described in the proclamation of His Excellency the Governor General of Canada dated 28th October, 1862, incorporating the said village of Richmond.

5. And whereas it is advisable and desirable to provide ^{Extension of} for the extension of the boundaries of the said town, it is ^{limits.} hereby declared that it shall and may be lawful for the proprietors of lot number nineteen, in the fourteenth range of the said township of Cleveland, by means of a notice in writing, signed by such proprietors or by the majority thereof, given to the municipal council of the said town of Richmond, and with the consent of such council, signified by a by-law, passed for that purpose, in the usual manner, to demand and obtain that the whole of the said lot number nineteen shall be included in the limits of the said town, and upon the said lot being declared, by by-law of the said town, to be included in the said limits, the proprietors, whose properties have so become included in the limits of the said town, shall have and possess all municipal privileges and rights, and be subjected to all the by-laws, obligations, duties and charges imposed upon the persons and property originally included within the limits of the said town. And it shall also be lawful for any proprietor of land now, or which may become, adjacent or contiguous to the limits of the said town, by means of a notice to the said town council, and with their consent signified by a by-law, passed for that purpose in the usual form, to demand and obtain that his said land be included in the limits of the said town of Richmond, and upon such land being declared, by by-law, to be so included or incorporated in the said town limits, the said proprietor shall become possessed of all municipal rights and privileges and be subject to all by-laws, obligations, duties and charges imposed upon the persons and property originally included within the limits of the said town.

DIVISION INTO WARDS.

6. The town shall be divided into wards, the number ^{Division of} and boundaries of which shall be determined and fixed by ^{the town into} the council of the said village of Richmond, as at present ^{wards.} existing, at the session of the council held next before the elections under this act. And the council of the said town shall have the power at any time thereafter to change either the number or the boundaries of such wards.

The first division into wards, as well as any change ^{How made.}

therein, shall be made by by-law, passed in the usual manner, and the council shall have the right to make provision for the proper representation of any additional territory, which may be hereafter annexed to the said town under this act.

TOWN COUNCIL.

Composition of
the council.

7. The municipal council shall be composed of seven councillors, to be increased to nine on the extension of the limits of the said town by the annexation thereto of lot number nineteen, in the fourteenth range of the township of Cleveland, and of the village of Melbourne. The number of councillors to represent each ward shall be determined by the council in the by-law fixing the wards as hereinbefore mentioned.

Election of
councillors.

8. The councillors shall be elected for three years, except in the case provided for in article 20 of the Town Corporations' General Clauses Act, and except also in the case provided for in the following section.

Method of re-
placing coun-
cillors.

9. Of the seven councillors elected at the first general election under this act: 1o. Two must be replaced at the time of the next general municipal election; 2o. Two others at the same period in the year which follows that lastly mentioned; 3o. and the three last also at the same period in the following year. And so on, in such manner that two councillors must be elected or appointed two years consecutively, and three every three years, until the number of councillors is increased under the provisions of section seven, after which three councillors shall be elected every year.

Method of as-
certaining, af-
ter the first and
second year,
who shall
retire.

10. The councillors, who shall retire the first and second years after the first general election under this act, must be selected by lot, at a session of the council in the month of December preceding the general election at which they are to be replaced.

Proviso, if
council ne-
glects to take
such proceed-
ings.

If the council shall neglect to proceed to draw such lots, the officer presiding over the election may do so, on the day of the nomination of councillors and immediately after the opening of the meeting.

Appointment
of mayor.

11. At the first session, after any general election of councillors, the members of the council must appoint, as mayor of the corporation, any one of the councillors possessing the necessary qualifications.

12. The quorum of the council shall be four members, Quorum of council. so long as the number of councillors is seven and afterwards the quorum shall be five members.

13. The mayor remains in office from the moment he takes the oath, until the appointment of his successor, Duration of office of mayor. providing he remains in the council. In case of any vacancy in the office of mayor, the senior member in age of the council shall act as mayor *pro tempore*.

14. The general elections shall take place on the second Monday in the month of January of every year at nine of the clock in the morning. Time of general elections.

15. The first general elections, under this act, shall be held on the second Monday in the month of January now next, and shall be presided over by the secretary-treasurer of the present village of Richmond, upon whom, for the purposes thereof, are hereby conferred all the powers conferred by the said Town Corporations' General Clauses Act on the secretary-treasurer of the town council. The said election shall be held at the usual place of meetings of the council of the village of Richmond. First general election under this act.

16. At the first general election there shall be elected seven councillors, and at each subsequent general election, as many councillors as there are councillors retiring from office. But at the general election next after the annexation of said lot nineteen in the said township of Cleveland and of the said village of Melbourne, there shall be elected two additional councillors, so as to increase the number of members of the council to nine, as provided in section seven. Number of councillors.

17. After having opened the meeting of the electors for the nomination of councillors, the presiding officer shall receive and place in nomination the names of all persons handed in, in writing, by at least five municipal electors. The presentation must be made by electors of the ward for which the candidate is proposed. Duty of presiding officer on nomination of councillors.

18. If, one hour after the opening of such meeting, there have been and remain nominated, for the office of councillors in one or more wards, more persons than there are councillors to be elected therefor, it shall be the duty of the presiding officer to grant a poll for such ward or wards; which poll shall be held without delay. Poll to be granted in certain cases.

19. The poll shall be opened at ten o'clock in the Opening of the poll.

forenoon and closed at five o'clock in the afternoon of the same day.

First meeting
of the council.

20. The first session of the council to be elected under this act shall be held on the Monday, next after the closing of the election, in the usual meeting hall of the council of the village of Richmond. Such session shall be a general session of the council.

General meet-
ings of the
council.

21. The council shall further hold general or ordinary sessions on the first Monday of each month, and at such other time as may be provided by the council.

Hotels &c., to
be closed on
polling day.

22. All hotels, taverns and saloons shall close their bars during the day of voting, under a penalty of fifty dollars, or imprisonment in the common gaol for three months in default of payment.

POWER TO MAKE BY-LAWS.

Power to make
by laws :

23. The town council may, in addition to those mentioned in the Town Corporations' General Clauses Act, make by-laws for the following purposes.

GENERAL PROVISIONS.

Respecting
good order &c.

1. For the good order, welfare, improvement, cleanliness health, internal economy and local government of the said town, and for the prevention and suppression of all nuisances, and all acts and proceedings, in the said town, obstructive, opposed or disadvantageous to the good order, welfare, improvement, cleanliness, health, internal economy, or local government of the said town, and for the better protection of life and property of the inhabitants ;

Respecting
bridges &c.

To make all arrangements they judge advisable and to sanction and confirm all agreements already made by the said village of Richmond and especially with respect to a bridge or bridges across the river St. Francis, at Richmond aforesaid ; to acquire, hold, dispose of any property, interest or right in such bridge or bridges, to aid in any way in the construction thereof, to manage the same and collect tolls thereon and to aid the construction of any work for the use or benefit of the said town ; but the agreements above mentioned, as to any bridge or bridges, shall be submitted to the approval of the majority of the rate-payers.

Agreements
respecting
bridges to be
submitted to
rate payers
for approval.

TAXES.

To levy taxes
for certain
purposes ;

2. To levy, by means of direct taxation, upon all taxable property, or only upon taxable real estate in the said town,

all sums of money necessary to meet the expenses of administration, or for any special purpose, within the limits of the powers of the council of the said town ;

3. To levy, by means of direct taxation, the funds re- The same ;
quired for any purpose whatever, within the powers of the Council, upon all taxable property, or only upon taxable real estate of persons who, in the opinion of the Council, have an interest in any public work under the direction of the council of the said town and benefit by such work, all sums of money necessary to meet the construction and maintenance of such work ;

4. To levy, by means of direct taxation, the funds re- The same ;
quired for any purpose whatever, within the powers of the council, upon all taxable property, or only upon taxable real estate, within the limits of the said town, upon petition of the majority of the rate-payers liable for such tax, to the amount and on the condition set forth in the petition ;

5. To levy, annually, upon every tenant who pays rent, a Taxes upon
sum not exceeding three cents in the dollar upon the tenants ;
amount of such rent ;

6. To levy, annually, upon the male inhabitants of the Personal
age of twenty-one years and over, resident in the said town, taxes ;
and not otherwise taxed, a sum not exceeding one dollar ;

7. To levy, annually, on immovable property within the Taxes upon
limits of the said town a sum not to exceed two cents in the immovable
dollar on the whole value, as entered in the valuation roll property ;
of the said town ;

8. To levy, annually, on all stocks-in-trade or goods kept Taxes on
by merchants or traders and exposed for sale in shops, or stocks-in-
kept in vaults or storehouses, a tax of not more than one trade &c. ;
quarter of one per cent on the estimated average value of
such stock in trade or goods. And in case any person or Transient
persons shall come, temporarily, into the said town to traders ;
dispose of any bankrupt or other stock of goods, wares or
merchandise, either at public auction or private sale, the
council may, by resolution passed as soon as convenient,
levy, on such person or persons, a license fee of not less than
twenty dollars and not more than fifty dollars for the sale
of the said goods, so brought into the said town and exposed
for sale therein. Such tax to be payable by such person or
persons on demand, and, if not paid when demanded, the
same may be collected by distress-warrant, issued under
the hand of the mayor or acting mayor, immediately after
such failure to pay, and the said goods may be attached and
shall be held for the payment of the same ;

Taxes upon
dogs ;

9. To levy, annually, on every dog, kept by persons residing in the said town, a tax of not less than one dollar nor more than three dollars ; and if the proprietor or harbinger of any dog shall fail to pay the said tax, when legally notified so to do, then it shall be lawful for the said council to sue the proprietor or harbinger of any dog for the tax imposed ;

Taxes upon
houses of
public enter-
tainment &c. ;

10. To levy, annually, a tax of not less than twenty dollars nor more than sixty dollars, on every proprietor or occupant of every house of public entertainment, tavern, hotel, coffee house and eating house, and on every retailer of spirituous, fermented or intoxicating liquors, and on every proprietor, possessor, agent, manager and keeper of a theatre, menagerie, circus, billiard-room, ten-pin alley or other place for games or amusements of any kind whatsoever, and on every auctioneer or pawnbroker ;

PUBLIC AND PRIVATE MARKETS.

Public mar-
kets ;

11. To establish and regulate public markets and private butchers' or hucksters' stalls, and to regulate or license the sale of fresh or salt meats, vegetables, fish or other articles, usually sold on markets, and to fix and determine the duties or fees to be paid by any person selling on or in any of such places any provisions or produce whatever ;

SALE OF LIQUOR.

Sale of
liquors ;

12. To restrain, regulate or prohibit the sale of any spirituous, alcoholic or intoxicating liquors, within the limits of the town.

LIMIT TO DEBTS.

Amount of
debt of town
limited.

24. The council of the said town shall not of itself contract debts for a sum exceeding in all two cents in the dollar of the total valuation of the taxable property of the said town.

Power to bor-
row.

25. The council of the town of Richmond is authorized to borrow, on simple resolution, a sum not exceeding two thousand five hundred dollars, and to issue bonds for a like amount, bearing interest, provided two-thirds of the whole council vote in favor thereof.

SEPARATION FOR SCHOOL PURPOSES.

Town a
separate

26. The town of Richmond shall be and is hereby declared to be, from and after the coming into force of this

act, a separate school municipality, and shall no longer be school municipi-
connected, for school purposes, with the township of ^{ality.}
Cleveland.

Provided, nevertheless, that nothing in this section ^{Proviso.}
shall affect the schools which are now or which
may hereafter be under the control of the dissentients of
the village of Richmond and of the township of Cleveland.

GENERAL PROVISIONS.

27. Sections 17, 18, 52, 53, 54, 60, 61, 63, 64, the second ^{Certain sec-}
paragraph of section 66, sections 79, 80, 81, 87, 112 and ^{tions of the}
113 of the Town Corporations' General Clauses Act are ^{Town Corpora-}
expressly excepted, and shall form no part of the laws ^{tions general}
governing the said corporation of the town of Richmond, ^{clauses act}
and the other clauses of the said act shall be so read as to ^{to apply, and}
be consistent with the provisions of this act.

The powers herein, conferred on the said corporation or ^{Powers confer-}
the council of the said town, are, however, to be regarded as ^{red by this act,}
supplementary of those given in the said Town Corpora- ^{to be consider-}
tions' General Clauses Act. ^{ed as supple-}
^{mentary there-}
^{to.}

28. The present act shall come into force on the day of ^{Act in force.}
its sanction.

C A P . C I V .

An act to further amend the provisions of the various acts
relating to the incorporation of the town of Lachine.

[Assented to 27th May, 1882.]

WHEREAS the council of the town of Lachine have, ^{Preamble.}
by their petition, represented that it is ad-
visable to make certain amendments to the provisions of
the various acts relating to the incorporation of the town
of Lachine, and it is expedient to grant the prayer of the
said petition; Therefore, Her Majesty, by and with the
advice and consent of the Legislature of Quebec, enacts as
follows:

1. Section forty-three of the act of this province thirty- ^{36 Vict., cap.}
six Victoria, chapter fifty-three is hereby amended, by ^{53 sec. 43}
substituting for the words: "twenty-five", in the eighth ^{amended.}
line, the words: "seventy-five."

2. The revenues of the council of the town of Lachine ^{Revenues of}
shall be such as they may derive from the taxes which ^{the council.}