

21. Section 125 of the said act is repealed and replaced 43-44 V., c. 62, s. 125, replaced. by the following :

“ 125. The town council shall have power, in order to secure the due execution of its by-laws, to impose penalties for each infringement of such by-laws, by a fine not exceeding the sum of one hundred dollars, and in default of immediate payment of such fine and costs, by imprisonment for a period not exceeding six months ; but in the body of such by-law, mention shall be made of the penalty imposed, specifying the amount of the fine and the term of imprisonment.” Penalties for infringement of by-laws. Proviso.

22. Every by-law authorizing a loan, increasing the public debt, granting a bonus or gratuity for encouraging the establishment of manufactures or voting aid in virtue of sections 227 and 229 of the town corporations general clauses act, shall impose a special annual tax sufficient to pay the interest and sinking fund yearly, but the sums imposed by such by-laws shall not exceed, in the aggregate, one eighth of a cent in the dollar on the assessed value of the taxable real estate of the town, over and above the tax of one half of a cent in the dollar, authorized by section 86 of the charter of the town. By-law authorizing loan must impose special tax for payment thereof.

23. The present act shall come into force on the day of its sanction. Act in force.

C A P . L X X V .

An Act to amend and consolidate the act of incorporation of the town of Longueuil, 37 Vict., ch. 49, and the act amending the same, 39 Vict., ch. 46.

[Assented to 30th June, 1881.]

WHEREAS it is expedient to amend and consolidate Preamble. the provisions of the act of incorporation of the town of Longueuil, 37 Vict., ch. 49 and the act amending the same, 39 Vict., ch. 46, and it is expedient to grant to the corporation more ample and better defined powers ; whereas also the corporation has prayed by its petition for the said amendments, and whereas it is advisable to grant the petition : Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

PRELIMINARY TITLE.

1. The acts, 37 Victoria, chapter 49, and 39 Victoria, chapter 46, are repealed. 37 Vic., c. 49 and 39 Vic., c. 46, repealed.

CHAPTER I.

CORPORATION.

Town of Longueuil, incorporated.

2. The inhabitants and rate payers of the town of Longueuil and their successors are and shall be a body corporate and politic, under the name of "The Town of Longueuil."

Existing by-laws, &c., to remain in force

2. All acts, orders, by-laws and resolutions, now in force, shall remain in force until they are amended, annulled or repealed by the council of the said town or by any other competent authority, and all notes, debentures and obligations whatever consented to, contracted or issued by the corporation or in its favor, up to the coming into force of this act, shall have the same force and effect as if this act had never been passed.

Corporation not to be considered as dissolved.

3. Nothing contained in the present act shall be construed to dissolve the corporation of the inhabitants of the town of Longueuil as now existing, and the present mayor and councillors, as well as the officers of the council, shall remain in office until they shall have been replaced under the present act.

BOUNDARIES OF THE TOWN.

Boundaries of the town.

3. The town of Longueuil shall be bounded as follows: to the north-west side by the centre of the river St. Lawrence, to the north-east, partly by the lot number thirty-seven on the official plan and book of reference for the parish of Longueuil, and partly by the turnpike road of Longueuil and Chambly, to the south-east, partly by part of the said lot number 37 and the Gentilly road and partly by lots numbers 133, 134, 135, 136 and 137 on the said official plan and book of reference, and to the south-west, by the north-east line of lot number 307 of the said official plan and book of reference, being the old track of the Grand Trunk Railway of Canada.

DIVISION INTO WARDS.

Division into wards.

4. The town shall be divided into three wards, which shall be respectively designated and known under the names of "east ward," "centre ward," and "west ward," and shall be bounded as follows, to wit:

East ward.

1. The "east ward" shall be bounded in front by the river St. Lawrence; to the north-east side and in depth by the limits of the town; and to the south-west by the middle of the road known as "Chemin de Chambly";

2. The "centre ward" shall be bounded in front by the Centre ward. river St. Lawrence; to the north-east side by the "east ward;" in depth by the limits of the town; and to the south-west by the middle of St. James' street;

3. The "west ward" shall be bounded in front by the West ward. river St. Lawrence; to the north-east side by the "centre ward;" in depth, and to the south-west side, by the limits of the said town.

CHAPTER II.

TOWN COUNCIL.

5. There shall be elected, from time to time, in the A mayor and six councillors to form the council. manner hereinafter mentioned, a proper person, who shall be and be called "the mayor of the town of Longueuil," and six fit persons, two for each ward, who shall be and be called the "councillors of the town of Longueuil," and such mayor and councillors, for the time being, shall form the council of the town,

QUALIFICATION OF THE MAYOR AND OF THE COUNCILLORS.

6. No person shall be elected mayor of the town Qualification of mayor. of Longueuil, unless he is able to read and write, and unless he shall have been a resident householder in the town for six months preceeding such election, nor unless he be, at the time of the election, possessed as proprietor in his own name or in that of his wife, of real estate, within the limits of the town, of the value of one thousand dollars, after deducting all hypothecary debts affecting such real estate, at the time of election;

2. No person shall be elected councillor of the town Qualification of councillors. of Longueuil, unless he be able to read and write, and shall have been a resident householder in the town for six months preceeding such election, and unless he be possessed as proprietor, in his own name or in that of his wife, of real estate of the value of four hundred dollars, after deducting all hypothecary debts affecting such real estate, at the time of election.

3. The real estate on which the mayor or the councillors Value how determined. are qualified shall be entered on the valuation roll, then in force, and the value of such real estate shall be in all cases determined and fixed by the roll.

4. No person shall be eligible as mayor or councillor of Foreigners not eligible. the said town of Longueuil, unless he be a natural born

or naturalized subject of Her Majesty and of the full age of twenty one years.

DISQUALIFICATIONS.

Disqualifica-
tions.

7. The following persons shall not be eligible as mayor or councillor of the said town, nor exercise any such functions, to wit: minors, persons being in the holy orders, and ministers of any religious creed, members of the executive council, judges, sheriffs and clerks of any court of justice, the officers on full pay in Her Majesty's army and navy, the inn-keepers, the hotel-keepers or the persons being keepers of houses of public entertainment, being or having been such during the last twelve months, the persons accountable for the revenues of the town, their sureties or the persons receiving any pecuniary allowance from the town for their services, the contractors of the corporation, nor any member of any firm or company not incorporated, to whom the corporation shall have given a contract or undertaking whatsoever; provided that no person shall be ineligible to those offices, nor shall be rendered incapable of exercising any such functions from the fact of his being a shareholder in any incorporated company which may have with the town a contract, rendering a person incapable of holding such office.

Limitation of
word "judge."

2 The word "judge," employed in this section, shall not apply to a justice of the peace or commissioner of small causes.

EXEMPTIONS.

Exemptions.

8. The following persons shall not be obliged to accept the office of mayor or councillor of the town, to wit: members of the senate, of the commons, of the executive council, and of the provincial legislature, practising physicians, surgeons or apothecaries, school-masters, persons over sixty years, and those who shall have fulfilled, during the year or during the two years next preceeding, the office of mayor or councillor of the town, or who shall have paid the penalty incurred for having refused to accept such office.

VACANCIES.

Vacancy in
the office of
mayor or
councillor.

9. The office of mayor or councillor or councillors becomes vacant:

1. When the person holding that office is deceased or becomes insolvent;

2. If, at any time during the period in which he is to discharge such office, he becomes deprived of any of the qualifications, required to be elected mayor or councillor of the town, and mentioned in section seven of this act, or if he comes under one of the disqualifications, as to the exercise of these offices, mentioned in section eight of this act ;

3. When the person in office discontinues during two consecutive calendar months, or when he ceases completely to reside and to have his domicile within the limits of the town of Longueuil ;

4. When the person, who holds that office, except in the event of illness or infirmity, or for some other reasons deemed sufficient by the council, shall absent himself from the sittings of the council during two consecutive months, and the council shall have by resolution declared the seat vacant, before such person shall have taken it again ;

5. In the event of the annulling of the election, or refusal to accept, or of resignation of the office, if such resignation is accepted by a resolution of the council, or of the absence from the sittings of the council, by reason of illness or infirmity, during three consecutive months.

10. Any vacancy, which shall occur under the preceding section, except the vacancy occurring by the election of a councillor as mayor, may be officially established by the town council, regularly assembled in general or special meeting, by means of a resolution adopted at such meeting by the council, declaring vacant the seat of the councillor, or of the mayor who shall or should have ceased to act as such councillor a mayor, under said section, and such vacancies shall be deemed to have existed only from the date on which such resolution was adopted.

New election
in case of a
vacancy.

CHAPTER III.

ELECTIONS.

11. The municipal elections, to replace the members of the council whose term of office is expired, shall be held in the month of February in each year ; the partial elections, caused by a vacancy in the council, shall take place as soon as such vacancy shall occur. Public notice thereof shall be given at least eight days previous to such election, in the french and english languages, by notices posted up at or near the doors of a catholic church, and of a protestant

Municipal
elections when
held.
Notice
therefor.

church, and on the markets of the town; and the said notice shall be signed by the mayor or the secretary treasurer of the town, and shall specify the day, place and hour upon which the nominations for the election shall take place.

Appointment
of officers to
preside over
elections.

12. At a general or special meeting of the council, previous to the notice announcing any such election of the town, the council shall appoint a president of election for each ward in which such election is to take place, and the secretary treasurer of the council of the town shall be *ex officio* president for the election of the mayor;

2. The presidents of election of councillors shall be chosen as much as possible amongst the councillors who shall not then go out of office, and at such elections, the mayor and the councillors going out of office shall not, in any case, be appointed presidents for the election of councillors for any ward;

3. The presidents of election must know how to read and write;

4. In the case a person appointed as president as aforesaid shall not be able to act as such, then such president shall be chosen by the majority of electors present.

Duty of officers
presiding over
the election to
hold polls.

13. It shall be the duty of the presidents for the election of councillors in each ward of the town, to hold a poll for their respective wards, at the town hall, at the time and in the manner hereinafter prescribed, when there shall be a contestation for the election of councillor in their respective wards, or when required so to do by the president for the election of the mayor in case of contestation.

QUALIFICATION OF THE MUNICIPAL VOTERS.

Who shall vote
at elections.

14. The following persons shall be entitled to vote at municipal elections of the said town; every man of the age of twenty one actually possessor as proprietor in his own name or in that of his wife of real estate in the said town, entered in the valuation roll in force at the time of the completion of any list of municipal voters, made under the authority of this act, of the value of two hundred dollars or as tenant in his own name or in that of his wife of real estate, of an annual value of not less than twenty dollars, provided that his name is inscribed on the list of voters in force at the time of the election, and provided that the real estate or part of the real estate which such lessee or occupant occupies, as above mentioned, be entered on the valuation roll as of the value of not less than two hundred dollars;

2. No person shall have the right of vote, unless he shall have, at least thirty days before such voting, paid his taxes, contributions, water rates and other dues, nor unless the property on which such elector is qualified shall be free, for at least thirty days of all municipal due as aforesaid, and whenever the tenant or occupant shall have paid any such municipal taxes he shall have the right and be entitled to deduct the amount by him thus paid from any rent by him due to the proprietor; and in case no rent should be due to the proprietor at that time, the said tenant shall, moreover, be subrogated to the privileges and rights of the town, in order to recover, from the said proprietor, the payment of any such municipal taxes;

3. No tenant or occupant shall exercise his right to vote at any municipal election, unless he shall have been a resident, as such tenant or occupant, in the town, for at least six months next preceding the day of voting for such election.

15. It shall be lawful for any candidate, at any such election of mayor or of councillor of the town, to require from the municipal voters, the production of the receipts or certificate of the secretary-treasurer, establishing the payment of such taxes and other assessments due as aforesaid, or in default of a receipt or certificate, to require an oath from the voter, that such taxes, assessments and dues are paid. Receipt may be required to be shown.

16. Each elector shall vote for the election of the mayor at the poll held for the ward in which he resides, and if he does not reside in the town he shall vote at the poll for which he is qualified which shall be assigned to him by the list. For the election of the councillors each elector shall vote at the poll of the ward in which he is qualified. Elector to vote at poll in ward for which he is qualified.

2. In case a municipal voter shall be qualified as such in more than one ward, he shall have the right to vote in every ward in which he shall be so qualified as such voter, in favor of the candidate for the office of councillor chosen for each for the said wards, and any such elector shall vote for the election of the mayor of the town only once, and at the poll held for the ward in which such elector shall then have and hold his residence; Elector qualified in more than one ward.

3. In case a person shall be in possession as proprietor or occupant in his own name or in that of his wife in more than one ward of the said town, of one or more lots, in each of said wards respectively, the value of which shall not come to the sum of two hundred dollars, if the collective value of all such lots together amounts to or ex- Other case.

ceeds the sum of two hundred dollars, such person shall have the right to vote for the election of the mayor of the town, and in that case such person shall vote at the poll which shall be assigned to him on the list of voters.

President of the election keeper of the peace.

17. Each president of an election shall be keeper of the peace from eight o'clock in the morning of the nomination day until ten o'clock in the morning of the day following, and, if the election of the mayor or of the councillors is contested, from eight o'clock in the morning of the day of polling until ten o'clock in the morning of the day next following the close of the poll.

Extent of jurisdiction.

2. The jurisdiction of every president of election, as keeper of the peace, shall extend throughout the town;

Power of president of elections :

18. The officer presiding at the election in any ward of the town, may, moreover, for the purpose of preserving peace and public order :

Swear in constables.

1. Swear in as many special constables as he deems necessary ;

Require assistance of justices of the peace and others.

2. Require the assistance of all justices of the peace, constables, and other persons residing in the town, by verbal or written order ;

Commit on view.

3. Commit on view to the custody of a constable or of any other person, for a period of not more than forty-eight hours, any one breaking the peace or disturbing public order ;

Cause offender to be imprisoned for limited time.

4. By a warrant under his hand cause such offender to be imprisoned in the common gaol of the district, or any house or other place of confinement established within the limits of the said town, for any period not exceeding ten days.

Nomination day fixed.

19. The first Wednesday of February in each year, or if that day is a non-juridical day, then the next following juridical day is fixed by this act as the nomination day for candidates to the offices of mayor and councillors to replace the members going out of office.

Nomination for councillors where held.

The places, where the nominations shall take place, shall be fixed by the council within the limits of each ward for the election of councillors.

For mayor where held.

The nomination for the election of the mayor shall take place at the City Hall

Proceedings on nomination day.

20. At ten o'clock in the forenoon of the day fixed for the nomination, the president of the election either of the mayor or of the councillors shall proceed to the place

where such nomination is to be held as aforesaid, and shall then and there require the electors then present to name the person or persons whom they wish to choose as mayor, or as councillors, as the case may be, and from ten to eleven o'clock, any two duly qualified electors of the town may openly and publicly address to the said president of the election of the mayor a demand or requisition in writing signed by such two electors and moreover by not less than eight other duly qualified electors of the town, whether present or not at such meeting, that the person by them named be elected mayor of the town, for the next ensuing term of the office of mayor, and, in the event of there being only one such demand or requisition made as aforesaid, or that all the demands and requisitions so made are for one and the same person, then the president of the election, after the expiration of the hour aforesaid, shall proclaim that person duly elected mayor of the town, for the term next ensuing of the office ; and within the same delay any two duly qualified electors in any ward of the said town, may, on the day aforesaid, address openly and publicly to the president of the election for such ward of the town, for the office of councillors in such ward, a demand or requisition in writing signed by such two electors and moreover by not less than eight other duly qualified electors of the town, whether present or not at the meeting that the person or persons, named by them, be elected as councillors, for the ward in which the petitioners are electors as aforesaid ; and if there be only one demand or requisition for the election of councillors in such ward of the town, or if all the requisitions made in the ward, be for the election of the same person or persons as councillors for the ward, then the president of the election for such ward of the town after the expiration of the hour aforesaid, shall proclaim the person or persons, named in the requisition or requisitions (as the case may, be) duly elected councillor or councillors for the said ward, for the next ensuing term of the offices ; and each and every such election made as aforesaid, without dissent shall be forthwith proclaimed by the person who shall have presided at each such nomination, and the said person shall moreover give to the persons, so elected mayor of the town, or councillors for any ward thereof, special notice of his or their election, within the three days next following the day of the nomination as aforesaid.

21. In case more than one person shall be put in nomination for the office of mayor, the president of said election, shall grant for each ward of the town respectively, a poll for the election of the said mayor, and

Poll to be granted if more than one nominated for mayor.

the election shall be proceeded with in the manner hereinafter prescribed ; provided, however, that no person shall be voted for, or shall be elected, as mayor unless such person shall have been put in nomination as aforesaid.

Poll to be granted if more than one nominated for councillor.

22. In case more than one person shall be put in nomination for the offices of councillors a poll shall be granted for the election by the president of the election of such ward, and the said election shall be proceeded with in the manner hereafter prescribed ; provided however that no person shall be voted for at any such election or shall be elected as councillor, unless such person shall have been put in nomination as aforesaid.

Duty of president if election of mayor is contested.

23. In case of contestation for the election of the mayor, the president of the said election shall, the day next following the nomination day, give to each of the presidents of election for each ward, special notice in writing, that he has granted for each ward of the town, a poll for the election of the mayor thereof, which notice shall moreover mention the names of the several candidates, for the office of mayor, put into nomination the day before.

When and where polls held.

24. In all cases where polls are granted, each such poll shall be open at the town hall, at nine o'clock in the forenoon, on the Monday next ensuing the nomination day as aforesaid, and if that day is a non-judicial day the polls shall be open, at the same place and the same hour, on the first judicial day next ensuing, by the president of the election for each ward of the said town, if it be for the election of the mayor, or if the said mayor has been elected by acclamation on the nomination day, by the president of the election of a councillor or councillors for any ward of the said town. Each such poll shall be closed at four o'clock in the afternoon of the day in which it shall have been opened.

Poll clerk.

25. It shall be lawful for each president of the election, to have a poll clerk, whom he shall appoint in writing under his own signature, and to whom he shall administer the oath to truly, faithfully and to the best of his judgment and ability, perform his duties as such, which duties shall be assigned to him by the president of the election.

His payment.

2. Every such poll clerk shall be paid out of the funds of the town and shall be entitled to a fee of two dollars for each day that he shall be so employed.

Oath to be taken by president of election.

26. Each president of the election, shall, before acting in the premises, take before any justice of the peace, or before the secretary-treasurer, the following oath :

“ I do hereby make oath that I will faithfully and impar-^{Form.}
 “ tially, to the best of my judgment and ability, perform
 “ my duties as president of the election of the mayor of
 “ the town of Longueuil (or of two or one municipal
 “ councillor for any ward thereof, as the case may be) : So
 “ help me God.”

27. The president of the election, at the poll held for ^{Registration}
 any ward of the town, shall enter or cause to be en- ^{of votes.}
 tered by his poll clerk, if one has been appointed, in a book
 kept in the manner hereinafter prescribed, and in the order
 in which they shall be given, the votes of the electors, by
 inscribing therein, in the same time, the name, surname
 and qualities of each of them, such book to contain at the
 head of as many separate columns, the name and surname
 of the candidate, or of each of the candidates put into
 nomination for being elected as mayor of the said town, or
 councillor or councillors for any ward thereof.

28. The president of the election for any ward of the ^{President or}
 said town, and in his absence, his poll clerk, shall have ^{clerk, shall}
 respectively the authority, and they are hereby required, ^{administer}
 when requested by any person duly qualified to vote at ^{oath to voters.}
 the election of the mayor, and at the election of the coun-
 cillor or councillors in any ward of the said town to
 administer the following oath to any person tendering his
 vote at any such election, to wit :

“ You swear that you are subject of Her Majesty, that ^{Form.}
 “ you are entitled to take part and to vote at this election,
 “ that all municipal taxes, assessments, water rates and
 “ other dues imposed upon your property or properties (or
 “ on the property or properties held by you as tenant or
 “ occupant,) due and payable previous to the thirty days
 “ next preceding this day, have been paid before such
 “ thirty days,” (if the oath is taken by a tenant or occu-
 pant) “ that you reside as tenant or occupant in the
 “ town of Longueuil since at least six months before this
 “ day, that it is your name which is entered on the list of the
 “ voters of the ward (east, centre or west, *as the case may*
 “ *be.*) of this town, that you have not received anything,
 “ nor has anything been promised to you either directly
 “ or indirectly to vote at this election, and that you
 “ have not before voted at this election, (for the mayor
 “ of the said town, or for a councillor for any ward
 “ thereof, *as the case may be*) : So help you God.”

29. Whenever the president of the election for any ward ^{Interpreter}
 of the said town shall not understand the language spoken ^{may be ap-}
 by an elector, he shall appoint an interpreter, who, before ^{pointed.}
 acting, shall take before the president the oath to translate

faithfully the oaths, declarations, affirmations, questions and answers, which the said president shall require to translate, respecting such election.

30. Each page of the poll book, shall be numbered in words, and countersigned by the president of the election who shall keep it, or by his poll clerk.

31. If an elector takes the oath required, or if he refuses to take such oath, or if objection is made to his vote, mention of each of these facts shall be made in the poll book, in the following terms: "sworn," "refused," "objected to," as the case may be.

32. The president of the election for any ward of the said town, shall, at the close of the poll certify under his signature, the total number of votes given for each of the candidates.

33. At the close of the poll, after having prepared such certificates and annexed them to the poll book, the president of the election for any ward of the town shall declare elected councillors the candidates who shall have received the largest number of votes.

34. In case of an equal division of votes in favor of two or more of the candidates for the office of councillor for any ward of the town, the president of the election, at the poll at which such equal division of votes has been ascertained, shall, under a penalty of not less than fifty dollars, nor more than one hundred dollars, give his casting vote in favor of the candidate or candidates as he shall think fit.

35. Any president of an election for mayor, councillor or councillors, may if he is qualified as a municipal voter, vote at all municipal elections in which he does not act as president. He has a right to vote in the election over which he presides only in the cases specified in the preceding section. Nevertheless every president of election of councillor, may, if he is qualified, vote at the election of the mayor ;

2. Whenever the president, at an election for mayor or councillor or councillors, is called upon to vote under the authority of the preceding section he is obliged so to do even if he have not the required qualities of a municipal voter.

36. During the space of an hour, after the close of each poll, in case of contestation for the election of the mayor,

the president of each such poll shall transmit to the president for the election of the mayor, who, during the holding of the polls, shall be at the town-hall, a copy of the certificate by him prepared of his poll book under his signature, as mentioned in section thirty three, stating the total number of votes given at the poll where he shall have acted as president, for each of the candidates to the office of mayor of the town ; and the president for the election of the mayor, after having received these certificates, shall himself ascertain the total number of votes given at the poll held for each of the wards of the said town, in favor of each of the candidates as mayor and shall declare elected mayor of the town of Longueuil, for the ensuing term of the office of mayor, such candidate for that office who shall have obtained the greatest number of votes ;

transmit a statement of votes in favor of the mayor to president of election for mayor.

2. In case of an equal division of votes in favor of two or more of the candidates for the office of mayor as aforesaid, the president for the election of mayor, shall, under a penalty of not less than fifty nor more than one hundred dollars, give his casting vote in favor of the candidate as he shall deem proper.

Case of equal division of votes.

37. Within three days after the close of any poll, which shall have been held for the election of the mayor or of councillors for any ward of the town, the president of the election, shall give, to the candidate or candidates elected, notice of his or their election as mayor of the town, or as councillor or councillors for any ward of the town.

Notice to candidate elected.

38. Within the five days next following the election, the presidents of election shall deposit in the office of the council to remain, among the records, the poll-books and other documents relating to the election, with a faithful return under their signature of their proceedings and every copy thereof certified by the secretary-treasurer shall be evidence in every court of justice.

Poll-books, &c., to be deposited in office of council after election.

39. The mayor of the town of Longueuil shall be elected for one year, and the councillors of the town for two years, except in the case provided by section forty-two ;

Term of office of mayor and councillors.

2. The term of office for the mayor and councillors, shall expire the day upon which the first general or special meeting of the town council shall take place, after the general elections for the said town, at the opening of the said sitting.

When expires.

Vacancies
how filled.

40. In case of a vacancy in the office of mayor of the town, or of councillors for any ward thereof, the electors of the town shall proceed to a new election of a person to replace such mayor, or the electors of any ward of the town for which, one or the two offices of councillors shall have become vacant, shall proceed to a new election of one or two persons to replace such councillor or councillors; and any such election shall be proceeded with within one month after such vacancy or vacancies shall have been made known under the authority of section ten; and such election shall be proceeded with in the same manner as for the general elections; provided always that the council itself shall fix the nomination day and the day of the poll, in case one be granted for any such election.

Proviso.

Intermediate
elections pro-
vided for.

41. In case an election for mayor of the town occur in the interval between two annual general elections for mayor, the council shall appoint an officer to preside at such election and a deputy for each ward of the town, whose services shall be required by the president of the election, only in case of a contestation of such election by means of a notice given by the president to each of the deputies, informing them of the fact of such contestation, and indicating to them the names, surnames and qualities of the different candidates for the office of mayor; and the duties of such deputies shall be the same as those imposed, under the provisions of this act, on the different presidents of elections for councillors, in case of the contestation of the election for mayor, at any annual general election of mayor and councillors for such town provided that no deputy president shall in any manner be deprived of his vote at such election.

Term of office
of mayor or
councillor re-
placing an-
other.

42. Every mayor or councillor elected to replace another, shall remain in office for the remainder of the time for which his predecessor had been elected, and no longer; provided always that such mayor or councillor shall not have the right to continue to remain in office as aforesaid, if before the expiration of the term of office, of the person which he has replaced, he finds himself in the position or one of the positions provided for in the eighth section of this act.

Councillors in
office shall
cause the an-
nual elections
to be made in
certain cases.

43. In case it shall at any time happen that an annual municipal election shall not be held, for any reason whatever, on the day when, it ought to have been held, and it shall be the duty of such members of the council, to meet again for the purpose of fixing a day as near as possible, for the holding of such annual municipal

election and for the appointment of the presidents of the election, and in that case, the public notices, shall be posted up at least four clear days before the election ; and if, within fifteen days after the day on which such election ought to have been held, the council shall have neglected to appoint a day for the election, the members shall be liable to a penalty of twenty dollars each, and in the latter case the mayor of the town of Longueuil, or in his absence, the pro-mayor shall have power, and shall, under a penalty of not less than one hundred dollars, cause the said elections to be proceeded with, and for that purpose, shall appoint the presidents of election, give the required public notices, fix the nomination day for the election of the mayor and councillors of the town, and the places where such nominations shall take place for the elections of the mayor and councillors, for the several wards of the town, and in a like manner he shall fix the polling day for the elections, in case polls shall be granted for such elections, and generally he shall exercise all the powers vested in the town council, according to the provisions of this act, in relation to the general elections of the said town ; provided always, that the public notices required for such elections, so convened and fixed by the mayor or the pro-mayor of the town, be posted up at least four clear days before such elections.

CHAPTER IV.

CONTESTATIONS OF ELECTIONS.

44. Every election for mayor or councillor may be contested by a candidate or by ten municipal electors for cause of violence, corruption, fraud or incapacity or for want of observance of the requisite formalities. Contestations of elections.

If the election of the Mayor and of the councillors or of one or more of them be contested, such contestation shall be decided by the Superior Court for Lower Canada, sitting in and for the district of Montreal. Before what court brought.

2. Every such election may be so contested by one or more of the candidates for the offices of mayor or councillor or at least by five of the electors of the said town, if the election of the mayor be contested, and by the same number of electors of any ward, when the election of a councillor be contested. By whom brought.

3. The said contestation shall be brought before the court, by a petition setting forth in a clear manner the facts and grounds of such contestation. How brought.

Copy to be served upon mayor or councillor whose election is contested.

4. A copy of the petition, with a notice stating the day on which the said petition will be presented shall be first duly served upon the mayor or councillor, whose election is contested, at least eight clear days before the day on which the petition shall be presented; but no such petition shall be received after fifteen days from the return of the proceedings of the election and of the deposit of the documents; nor shall any such petition be received, unless security for costs be previously to its presentation given by the petitioners, in the presence of a judge of the superior court, or of the prothonotary, who shall decide as to the sufficiency of the said security.

Evidence.

5. If the court be of opinion that the facts and grounds set forth in the petition are sufficient in law to void the election, it shall order proof to be adduced, if proof be necessary, and the parties interested to be heard, on the nearest day which it shall deem expedient, and shall proceed in a summary manner to hear and decide the contestation; and the evidence may be taken down in writing, or given orally in whole or in part, as the court shall order; and the trial of such contestation shall be had in a summary manner, until final judgment upon the merits of the same shall have been pronounced.

Judgment.

6. The court or the judge may, on such contestation, confirm the election or declare the same to be null and void, or declare another person to have been duly elected, and may, in either case, award costs of the said contestation to or against either party; which costs shall be taxed and recovered in the ordinary manner; and the court may order its judgment to be served upon the secretary-treasurer of the council, at the expense of the party condemned.

Costs.

Objections on the ground of irregularities, &c.

7. If any defects or irregularities in the formalities prescribed for the election be set forth in any such petition, as a ground of contestation, the court may admit or reject them, according as such defect or irregularity may or may not have materially affected the election.

CHAPTER V.

SESSIONS OF THE COUNCIL.

First session.

45. The first session of the council, after every general election of the said town, shall take place on the second Monday next following the day of the nomination of the mayor and councillors of the said town, at seven o'clock in the evening, and in case that day be a holiday, then

such session shall take place on the first juridical day ensuing, at the hour above mentioned ; and such session shall be a general session.

2. At such first session, the mayor and councillors newly elected, shall respectively take the following oath, before a justice of the peace or before a councillor who shall have not gone out of office in this year :

" I , do solemnly swear faithfully to fulfil the duties of mayor (or councillor) of the town of Longueuil, to the best of my judgment and ability : So " help me God. "

3. The swearing of each member of the council, and the certificate thereof, shall be entered and signed in the minute book of the council.

4. The members, absent for reasonable causes, shall take the oath above-mentioned, in the manner hereinbefore prescribed, at the first session of the council, at which they shall be present.

5. Four members of the council shall constitute a quorum.

46. The town council shall meet in general session on the first Wednesday in each month. In case that day be a holiday, such session shall take place on the first juridical day next following. The town council, at such sessions, may proceed to the transactions of the affairs of the town ;

2. The council shall hold their sittings in the town hall, or in any other place which shall have been set apart for that purpose, by resolution, either temporarily or permanently.

47. It shall be lawful for the mayor, whenever he shall deem it advisable, to call a special meeting. He shall be bound to call such meeting, whenever required so to do by at least two councillors, and in that case, the requisition of such councillors shall be made in writing, signed by them, and shall, moreover, contain the subjects to be taken into consideration.

2. If the Mayor, after being so required, does not call such meeting, or if he is absent, in that case, two councillors at least shall have the power to call such special meeting.

48. The mayor or the councillors, as the case may be, who shall call such special meeting, shall transmit to

such meeting, to give order to that effect to secretary-treasurer.

the secretary-treasurer a written order to that effect, stating the day and hour and the subjects to be taken into consideration, and, on the reception of that order, the secretary-treasurer shall give a special notice of the calling of such special meeting to all the members of the council. Such notice shall be signified, at least twenty-four hours before the opening of such meeting.

Notice to mention subjects for consideration.

2. The notice, calling a special meeting, shall mention the matters to be taken into consideration, and no other matter or measure shall be discussed or adopted thereat.

General or special sessions may be adjourned.

49. Any general or special session may be adjourned by the council to any other hour of the same day, or to a subsequent day, without it being necessary to give notice of such adjournment to the members who were not present, excepting in the case of the following section.

Two members may adjourn any meeting when there is no quorum.

50. Two members at least of the council, when there is not a quorum present, may adjourn the session at the expiration of one hour from the time it was established that there was no quorum. The hour of the 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; and these minutes shall be signed by one of the members present and by the secretary-treasurer.

Notice of adjournment.

2. In this case, a special notice of the adjournment shall be given in the manner and within the delay prescribed for the notice calling a special meeting, by the secretary-treasurer to the members of the council. The service of this notice must be established, at the resumption of the adjourned session, in the same manner as that of the notice convening a special session, and the absence of service of such notice shall render every proceeding adopted at such part of the adjourned session void.

Punishment for disturbance during sitting.

51. Whoever shall be guilty of serious disturbance or violence during the sittings, either by action or by words, or in any other manner whatsoever, shall incur a fine not exceeding sixty dollars, or an imprisonment not exceeding fifteen days, in default of payment of the fine, and may in addition be expelled from the council room on the order of the chairman of the council.

Meetings to be public, excepted.

52. All meetings of the town council shall be public, excepting when the said council shall have to enquire into the conduct of any members of their own body, or when they shall have to open or take into consideration tenders asked for any public work whatever; in which

cases it shall be lawful for the said council to sit with closed doors.

53. The council, at its first meeting after every general election, shall appoint a pro-mayor, who shall replace the mayor when absent, and who shall be vested with his powers. Pro-mayor.

If the person, appointed to the office of pro-mayor, ceases to act as councillor, before the expiration of his period of office as such councillor, or if he tenders his resignation as such pro-mayor, the council shall proceed as soon as possible to the appointment of a new pro-mayor. Replacing pro-mayor in certain cases.

54. The mayor, if he be present, shall preside at the meetings of the council. shall maintain order thereat, and shall have the right to express his opinion, but not to vote, on all questions brought before the council; provided always, that when the councillors, after having voted on a question, shall be found equally divided, then, and in that case only, the mayor shall decide the question by his casting vote. Mayor presides but does not vote. Casting vote in certain cases.

2. If the mayor be not present at a general or special meeting of the council, such meeting shall be presided over by the pro-mayor, or in case of absence of both the mayor and pro-mayor, by a member of the council chosen amongst the councillors present, and in case of an equal division for the selection of the president, such president shall be selected by lot amongst the councillors then present. If mayor is absent, pro-mayor or councillor presides.

3. The pro-mayor or the chairman of a special meeting, appointed by the councillors when both the mayor and the pro-mayor are absent, shall have respectively the right to vote as a councillor, and shall, moreover, have a casting vote, whenever the votes of the councillors are equally divided on any question whatever. Pro-mayor and councillor acting as chairman vote and have casting vote.

55. The mayor and every councillor who, without reasonable cause, shall not be present at the general, special or adjourned meetings of the council, shall incur a fine of not more than twenty dollars, for each time he shall not be so present at any such meeting. Fine for absence of mayor or councillor.

2. On application made to the council by a councillor or by at least ten municipal voters, relating to the property qualification of the mayor or of a councillor present, such mayor or councillor shall, within the fifteen days from the date of such demand, file a solemn declaration as to his qualification, containing a description of the real estate on which his qualification is based, and deposit it in the office Declaration of qualification by mayor and councillor.

of the council, and in default of his so doing within a reasonable time his seat shall become vacant.

Council may
appoint com-
mittees.

56. The council may appoint committees, composed of as many of its members as it shall judge convenient, and may delegate to them its powers respecting the examination of any question, the management of any business or particular kind of business, or for the execution of certain duties.

Committees to
report and
how.

2. These committees shall render account of their labors, and their decisions, by reports, signed by their chairman or by a majority of their members.

Any one may
be heard in
person or by
attorney.

57. Every one who shall be entitled to be heard before the council or any of its committees, may be so heard in person, or by an attorney, or by any other person acting on his behalf, whether authorized by power of attorney; he may also produce and examine witnesses.

Council or
committees
may :

58. The council or its committees, on every question or matter pending before them, shall have the power :

Take commu-
nication of
documents.

1. To take communication of all documents or writings produced in evidence, and hear all the interested parties ;

Summon wit-
nesses.

2. To summon any person residing in the said town ;

Examine par-
ties and their
witnesses
under oath.

3. To examine under oath the parties and their witnesses and administer to them an oath or affirmation by one of their members.

Penalty for
default to ap-
pear when
summoned.

59. If any one, so summoned before the council, or any of its committees, fails without just cause to appear at the time and place mentioned in the summons, when compensation of fifty cents per day shall have been paid or offered to him, for his time, he shall incur a penalty of not less than ten, nor more than twenty dollars, or, in default of payment, an imprisonment not exceeding fifteen days.

Minutes of
meetings to be
kept.

60. The minutes of the proceedings of any meeting whatever of the town council, entered in a register kept for that purpose, shall be signed by the mayor or by the member of the council who shall have presided and countersigned by the secretary-treasurer.

Hour for gene-
ral meetings
of council.

61. The general meetings of the council shall begin at seven o'clock in the evening, unless another hour shall be fixed by resolution.

Special meet-
ings.

2. The hour of the special meetings of the said council shall be fixed by the notice calling such meetings.

3. The meetings, held in virtue of any adjourned meeting, shall begin at the hour fixed by the resolution ordering such adjournment. For adjourned meetings.

4. If the notice, calling any special meeting or the resolution ordering the adjournment of any meeting, do not mention the hour at which it shall begin, in that case, every such session shall begin at seven o'clock in the evening. If no hour fixed in notice for special meetings.

62. The mayor and the councillors shall, during the period of their office, be justices of the peace for the town. Mayor and councillors justices of the peace.

63. Every appointment or removal of the officers of the town council shall be made by resolution; special notice of such appointment or removal shall be given without delay, by the secretary-treasurer, to the person who is referred to therein. Appointment and removal of officers.

64. Any certificate attesting that an oath of office has been taken by any municipal officer, shall be filed without delay, in the office of the council, by the person who has taken this oath. Certificate of oath taken by officers.

65. No act, duty, writing or proceeding, executed in his official capacity, by a member or officer of the council, who does not hold such office legally, can be set aside solely from his holding such office illegally. Acts, &c., by member or officer of the council valid.

2. Every member or officer of the Council holding his office illegally, shall be liable to a fine of not more than forty dollars; and any person suing or desiring to sue such officer or councillor, under the authority of the present sub-section of this section, shall be obliged to furnish sufficient security for the costs as in a controverted election case. Penalty upon member or officer illegally holding office. Security for costs to be furnished by complainant in suit for penalty.

66. Every officer of the council, who shall have ceased to discharge the duties of his office, shall be bound to deliver, within eight days next following, at the office of the council, or to his successor, all the moneys, keys, books, papers, insignia, documents and archives, belonging to the office. Duties of officer ceasing to exercise his functions.

67. If any officer of the council dies, or absents himself from the province, his representatives shall be bound, within eight days from his death or departure, to deliver to his successor, or at the office of the council, the moneys, keys, books, papers, insignia, documents and archives belonging to the office so held by him. Duties of representatives in case of death or absence of an officer.

Legal recourse
of council
against its
officers.

68. The corporation of the town shall be entitled, in addition to any other legal recourse, to a right of action to recover, by process of revendication, from such officer or his representative, or from any other person whomsoever, having in his possession all such moneys, keys, books, papers, insignia, documents and archives, with costs, damages and interest.

Coercive im-
prisonment if
demanded.

2. Every judgment, rendered in any such action, may be enforced by coercive imprisonment against the person condemned, whenever such imprisonment is demanded by the action.

Penalties for
refusing to
obey orders of
officers of the
council.

69. Every person, who shall refuse or neglect to obey any lawful order of any officer of the council, given in virtue of the provisions of this act, or of the by-laws of the town, shall incur for the first offence, a penalty of not more than five dollars, and for every subsequent infraction such penalty shall be of not more than ten dollars, saving cases otherwise provided for.

Penalty for
hindering
officers of
council.

70. Every person who shall hinder any officer of the council, or shall molest him, or shall attempt to hinder or molest him in the exercise of his functions, or who shall encourage, advise or incite any other person to commit any such acts, shall incur for the first offence, a penalty of not more than ten dollars, or in default of payment an imprisonment of not more than thirty days, and for every subsequent infraction, such penalty shall not exceed twenty dollars, and the imprisonment in such case in default of payment shall be of not more than forty days, and such person shall be moreover responsible for all damages caused by him towards those who shall have sustained them.

Corporation
responsible for
acts of its
officers.

71. The corporation of the town shall be responsible for the acts of the officers of the council, in the execution of the functions in which they are employed, and also for all damages resulting from their refusal to discharge or negligence in discharging their duties, saving its recourse against such officers.

CHAPTER VI

MUNICIPAL OFFICES.

Persons bound
to accept mu-
nicipal offices.

72. Whosoever shall be capable of discharging any municipal office, and shall not be exempted from so doing,

shall be bound to discharge such office, if he is thereunto, appointed.

No one, however, shall be bound to accept or to continue the discharge of the office of secretary-treasurer.

73. The following persons shall not be appointed to, nor shall continue to fill municipal offices : Persons incapable of discharging municipal offices.

1. Minors ;
2. Persons in holy orders, and the ministers of any religious creed ;
3. Members of the privy council ;
4. The judges of the court of Queen's bench, of the superior court, and of the court of vice-admiralty, district or police magistrates, and sheriffs ;
5. Officers on full pay of Her Majesty's army or navy, and the officers or men of the provincial police force ;
6. Keepers of taverns, hotels or houses of public entertainment, being such, or having acted as such within the twelve preceding months.

74. Whoever shall have been appointed to any municipal office, for which he shall become disqualified during his exercise of such office, shall be bound to give, without delay, at the office of the town council, a notice alleging the reasons of his disqualification ; Officer becoming disqualified shall give notice to council.

2. Until such notice shall be given, such person shall be deemed to have continued in the exercise of such office, and shall be liable to all penalties, prosecutions and other actions set forth in this act. Until notice given he shall be deemed to continue in office.

75. If the disqualification of a person appointed to a municipal office or holding the same is established, the council may, by resolution, declare the office of such person vacant. Proceedings of council if disqualification notorious.

76. The following persons shall not be bound to accept any municipal office under the council : Exemptions.

1. Members of the senate, of the house of commons, of the executive council, and of the provincial legislature ;
2. All civil functionaries, the employees of the federal and provincial legislatures, and the officers of the militia staff ;
3. Advocates, notaries, provincial land-surveyors, physicians, apothecaries and teachers engaged in their respective professions ;

4. Licensed pilots and persons engaged in navigation ;
5. Persons over sixty years of age ;
6. Gaolers and keepers of houses of confinement or correction, or of reformatories ;
7. All persons employed on iron or wooden railways ;
8. Firemen and engineers of steam vessels and of manufactories, moved by steam.

Persons actually in office.

77. Any person actually engaged in an office under the said town council may, while he is discharging the duties of such office, refuse to accept any other office under the said town council.

Persons having paid penalty for refusal to accept.

78. Any person who shall have paid a penalty for refusal to accept any municipal office, under the council, shall be exempt from filling any office whatsoever, under the council, during the period or the remaining part of the period for which he had been appointed.

Officer becoming exempt to notify council.

79. Any person, who shall have been appointed to a municipal office from which he is exempt, or who while filling any office shall become exempt, and who shall desire to avail himself of such exemption, shall be bound to file in the office of the council, a special notice to that effect, within the fifteen days following the notification of his appointment, or upon the day when he shall become exempt from filling such office ;

Default of notice.

2. In default of his so doing, he can no longer claim his exemption.

CHAPTER VII.

MUNICIPAL OFFICERS.

Secretary-treasurer to be appointed.

80. The council, at its first session which shall follow the general election, shall appoint a secretary-treasurer.

Two officers may be appointed.

2. The council may name, to fill this office, two officers, one of whom shall be the clerk, and the other the treasurer, and the respective duties, powers and functions of such two officers shall be determined by the council ;

Assistants may be appointed by such officers.

3. Each of such officers may appoint, over his signature, an assistant to aid or replace him in the exercise of his office, and nothing shall prevent such two officers, or each of them, from appointing the other as his assistant.

81. The secretary-treasurer shall be the custodian of all the books, registers and archives of the council; he shall attend all sessions, and shall enter and countersign all the proceedings and deliberations in a register kept for that purpose, to be called "the minute-book," and he shall be bound, during the days and hours of office, to give communication of all his and papers documents to the mayor, councillors, officers of the town council, and to all persons interested therein; and every copy or extract of all document or paper certified by such secretary-treasurer, under the seal of the said corporation, shall be evidence before any Court of Justice.

Duties of secretary-treasurer.

82. The secretary-treasurer shall furnish for the amount fixed by the council two sureties, whose names shall be approved by a resolution of the council, before the security bond shall be received. Such sureties shall be jointly and severally bound, together with the secretary-treasurer, and their obligation shall extend to the payment of all sums of money for which the secretary-treasurer may, at any time, be accountable to the corporation, including principal, interest and costs, as well as the penalties and damages to which he shall become liable in the exercise of his office.

Security to be furnished.

Obligation of sureties.

2. The council may accept, in place of security, certain companies incorporated for that purpose.

Guarantee policy in lieu of personal security.

83. Such security bond shall be made by an authentic deed, and accepted by the mayor; it shall bear hypothec for the whole or for a part of the amount at the will of the council. The council may also accept a surety on simple personal guarantee.

Bond.

84. The secretary-treasurer shall receive all moneys due and payable to the corporation, and he shall pay, on a written order of the mayor, all sums due by the corporation not exceeding ten dollars, and on a resolution of the council, all sums exceeding such amount.

Secretary-treasurer to receive and pay all moneys.

85. He shall keep, in a manner which, shall be prescribed from time to time by the council, books of account, and he shall keep in his office the vouchers for all expenditure.

To keep books of account.

86. He shall render to the council at its general session in the months of July and January, every year, a detailed account of his receipts and expenditure, till the last day of the month next preceding each of the said months of July and January in each year. He shall at the same time,

To render accounts in July and January.

make out a statement comparing with the corresponding statement of the preceding year.

Liabie to
action to ac-
count.

87. The secretary-treasurer, or any other person who shall have filled the said office, may be sued, in an action to account, by the corporation, before any tribunal of competent jurisdiction, and in any such action he may be condemned to pay or having failed to render such account; and every such judgment shall carry with it coercive imprisonment, if the same has been demanded in such action to account.

Assistant-
secretary-
treasurer may
be appointed.

88. It shall be lawful for the secretary-treasurer, from time to time, to appoint under his hand, an "assistant-secretary-treasurer," who may perform all the duties of the office of secretary-treasurer, with the same rights, powers and privileges, and under the same obligations and penalties as the secretary-treasurer himself, except as regards giving security.

Duties and
powers.

2. In the case of a vacancy in the office of the secretary-treasurer, the assistant-secretary-treasurer shall continue to perform the duties of the office until the vacancy is filled;

3. The assistant-secretary-treasurer shall enter into office immediately after having been appointed; he may be removed or superseded at will by the secretary-treasurer;

4. In the performance of his functions, he shall act under the responsibility of the secretary-treasurer who shall have appointed him and under that of the sureties of such secretary-treasurer.

Other duties of
secretary-
treasurer.

89. The secretary-treasurer shall have power to administer any of the oaths required by the provisions of this act.

CHAPTER VIII.

LIST OF MUNICIPAL VOTERS.

List of muni-
cipal voters to
be prepared
and when.

90. Within the thirty days next following that upon which the general valuation roll of the town shall have finally taken force and effect, as hereinafter provided for, the secretary-treasurer shall be bound to make out and prepare, for each ward an alphabetical list of the names of the persons, who, according to the roll, shall appear to be duly qualified as municipal voters for each ward as owners, tenants or occupants, under the authority of the fourteenth

section, without prejudice nevertheless to the provisions contained in section sixteen of this Act, and the secretary-treasurer shall, within the same day, certify the correctness of the lists, under oath taken before the mayor or, in his absence, before any justice of the peace, and he shall deposit such lists in the office of the town council of the day following that on which he certified their correctness.

When deposited.

2. In all cases when, for any reason whatever, the electoral lists or any of them, shall not have been made out and prepared in the manner and delay above prescribed, the town council may order the secretary-treasurer to make them, within a further delay to be fixed by the said council.

Further delay in certain cases.

91. Within two juridical days next following that of the deposit of the alphabetical lists in the office of the town council, the secretary-treasurer shall give public notice of such deposit, in the manner prescribed for the publication of the by-laws; such notice shall moreover mention that the said list shall remain posted up in the office, for the information and examination of the interested parties, during fifteen days next following that upon which these lists shall have been deposited.

Public notice of deposit of list.

List to remain posted for inspection.

92. During the said fifteen days, every person who shall desire to have his name added on any voters' list, or every elector who shall desire to have a name added or erased from such lists, shall prefer his request in writing and under his signature, stating the ward or wards to which he belongs, or to which belongs the person whose name he shall desire to be erased, and shall cause such request to be delivered to the secretary-treasurer on or before the last day of the delay hereinabove granted to prefer such request, and in case such last day be a non-juridical day, the said request shall be made no later than the next following juridical day.

Changes in list when required.

REVISION OF THE LIST.

93. At seven o'clock in the evening of the last day the voters' list is to remain posted up in the office of the town council, a board of revisors which shall be composed of three councillors specially appointed by the council for that purpose, at its general session in the month of June, and if such general session has not been held, at a special session to be held within fifteen days from the time of this general session, shall proceed to the revision and amendment, if required, of the voters' lists.

Board of revisors to examine list and when.

Quorum of board.

2. Two members of the board of revisors shall form a quorum and may proceed to the revision of the said list.

Chairman.

3. Such councillor, as the other members of the board shall choose at the meeting, shall preside thereat: and if the members of the board of revisors cannot agree as to the choice, the chairman shall be designated by lot.

Proceedings before board.

94. At the first sitting of the members of the board of revisors, they shall take communication of the complaints and shall order that special notices be given to the persons to whom such complaints relate. They shall adjourn their proceedings for a delay of not more than twelve days, and shall direct their secretary to give to each person

Notice to parties interested.

whom they shall designate, a special notice informing him of the existence and nature of the complaint filed against him or in his favor, with respect to the list of municipal electors of the town, and of the day, hour and place where the board of revisors shall commence the examination of such list. Every special notice to be given in virtue of this section, shall be served on the person entitled thereto, at least three clear days before the day on which the board of revisors shall resume its proceedings. Such notices shall be served by any bailiff or police constable of the town to the persons residing in the town, and to the persons not residing in the said town through the post by lodging a copy of such notice in the post office of the locality, under sealed and registered envelope, directed to such absent proprietor or rate payer, or his agent if one has been appointed by him. As to the persons whose address is not known, such notice shall be posted up in the office of the secretary-treasurer.

May examine on oath.

2. The board of revisors shall have the power to examine upon oath all persons respecting the claims, and all matters connected with the revision of the said lists;

Decision of the board.

3. The board, after having heard the evidence, shall be bound and to make the necessary additions or erasures respecting the claims to them submitted; they shall have also the power to correct all errors, made by the secretary-treasurer in the preparation of the lists, in order to render them conformable to the valuation roll; and these lists, so revised and settled, shall be signed by the person presiding the board, countersigned by the secretary and sealed with the town seal;

Time lists remain in force.

4. The said lists shall remain in force till the time when a new list of the municipal voters shall have finally come into force;

95. No person shall have the right to have his vote registered, unless the name of such person shall be inscribed on the list of the voters for the ward in which such person is qualified. No person to vote unless his name is on the list.

2. For annual, general, or partial elections for mayor and councillors, the secretary-treasurer shall, within the fifteen days immediately following the last day allowed to municipal voters to qualify themselves as such, as regards payment of their municipal taxes, or assessments or other municipal rates, be obliged to make a copy of the list for each ward, and he shall strike out from this copy the name of any voter who, according to the collection roll of such town, then in force, shall not have, on or before the said day, paid his municipal taxes and water rates, and he shall likewise strike out from the list the names of all tenants or occupants, who, although they have, on or before such day, paid all their municipal taxes or water rates, shall appear on the said list as occupying a property, or part of the property, the municipal taxes or water rates due, shall not have been paid according to such roll. on or before such day, in accordance with the provisions of this act, and such copies of lists so corrected shall be sent to the various presidents of election for each ward of the town before the day of the nomination; Notice to parties to qualify. Copy of list of voters. Transmission thereof.

3. The secretary-treasurer shall certify under oath to be taken before the mayor, or any councillor, or any justice of the peace for the district of Montreal, the accuracy of the corrections made by him on the copies of the said lists, and such copies shall alone be used for the municipal elections; Corrections certified.

4. Provided that any municipal elector whose name has been struck, and who shall present himself to vote, being the bearer of receipts or official certificates, stating that all his municipal taxes and water rates have been paid at the proper time, or that those affecting the properties which he occupies as tenant or occupant and his own have been paid in proper time, shall have the right to vote by taking the oath provided by section twentyeight. Proviso: as to elector producing receipts.

CHAPTER IX.

AUDITORS AND ASSESSORS.

96. At the first general meeting after such annual municipal election, two persons conversant with book-keeping Auditors to be appointed.

Oath required. shall be appointed by the council, to be auditors of the accounts of the council; and such auditors shall take the following oath, before the mayor of the town, or any one of the justices of the peace for the district of Montreal;

Form of oath. " I, _____, having been appointed to the office of auditor of the town of Longueuil, do hereby swear, that I will faithfully perform the duties thereof, according to the best of my judgment and ability: So help me God."

To report. **97.** The auditors shall be bound to make a financial report of the business for the twelve months expired the thirtieth of June preceding, or on or before the first of August in each year.

Their duties. **98.** It shall be the duty of the auditors to examine, approve, or disapprove of, or report upon all accounts which may be entered in the books of the said council or concerning the said council, and which may relate to any matter or thing under the control of or within the jurisdiction of the said town council, and be thus unsettled.

ASSESSORS.

Assessors to be appointed. **99.** The said town council shall appoint every year, at its general session in the month of May, or at a previous session, three assessors, whom the said council shall have the power, to replace when needed, and it shall be the duty of said assessors to make, between the fifteenth day of May and the twenty-fifth day of June, in each year, and in the manner prescribed by the council, the valuation of the rateable and non-rateable properties in the town, and that, distinctly as to each category, according to the real value thereof, and it shall be their duty to enter on the said roll the names of the tenants and occupants and the amount by them paid for rent and also the annual value of their occupation. They shall further inscribe in the said roll all other information required by the council.

Oath required. **100.** Every person, so appointed, as assessor shall be bound, before proceeding to the valuation, to take the following oath before the mayor, or before a councillor, or any justice of the peace for the district of Montreal, to wit:

Form of oath. " I, _____, having been appointed one of the assessors of the town of Longueuil, do solemnly swear, that I will diligently and honestly discharge the duties of that office, to the best of my judgment and ability: So help me God."

101. The assessors, who shall be appointed shall be proprietors of real estate in the town of the value of at least four hundred dollars, and at least one of the valuers appointed shall be able to read and write.

Qualifications
of assessors.

102. In order to be assisted in the exercise of their duties, the assessors shall require the services of the secretary-treasurer, and if the secretary-treasurer is prevented from so doing, of any other person they may deem proper, and the said secretary-treasurer or such other person shall be entitled to a sum of two dollars a day, payable by the council for every day during which he shall be so employed by the assessors, who shall be entitled to a like sum for every day during which they shall be so employed.

Assessors may
require assis-
tance of secre-
tary-treasurer
or clerk.

103. When the assessors shall have made and completed the valuation roll, they shall deposit the same with the secretary-treasurer, and notice of such deposit shall be given within two juridical days next following by the secretary-treasurer, in the same manner as for the deposit of the lists of the municipal voters; such notice shall further state that the valuation roll shall remain, during the period of twenty days, from the date of the deposit, open for inspection ;

Deposit, exa-
mination and
correction of
assessment
roll.

2. During that period, any rate-payer may give notice in writing to the secretary-treasurer of his intention to appeal to the council, complaining of the valuation roll, such notice shall state clearly the subject of such complaint; and the council shall proceed in the following manner to homologate the roll, and to the hearing of complaints made relating to it ;

Appeal of
persons to
council.

3. At its first general meeting after the twenty days above mentioned, the council shall hear the complaints relating to such roll. If, from the nature of such complaints, or any of them the council deems it necessary that special notices be given to the persons to whom such complaints relate, such council shall adjourn its proceedings on such homologation for a period not exceeding twelve days, and shall direct its secretary-treasurer to give each person whom it shall designate a special notice informing him of the existence and nature of the complaint filed against him, or in his favor, relating to the valuation roll, and of the place, day and hour when such council shall commence the examination and revision of such roll. The proceedings in connection with the service of such notice shall be the same as those provided for, with relation to the examination and revision of the list of municipal electors ;

Proceedings of
council on
appeal.

Decision of council. 4. The said council, after having heard the parties and their witnesses under oath, which shall be administered by the mayor, pro-mayor or presiding councillor, shall confirm or alter the valuation roll, as shall seem just ;

Right of assessors to be heard. 5. The assessors, shall have the right to be heard, if they so desire ;

Revision of the roll. 6. The council shall, at all events, proceed to the revision, amendment, if such be required, and homologation of the valuation roll, whether the same be demanded or not, at its general session next following the expiration of the twenty days above mentioned, or at an adjourned meeting of such session, and they shall have the right to rectify, all involuntary defects in the wording of the roll ;

Closing of the roll. 7. When the council shall have so revised the valuation roll, it shall be declared closed for the current year, provided also, that if any omission shall have been made, in the valuation roll, the council may, at any time, order the assessors to value any property so omitted, in order to its being added to the roll.

Other officers may be appointed. **104** The council shall have power to appoint, when it shall deem proper, all other officers as may be necessary to carry into effect the provisions of this act, or any order or by-law enacted by the council ; such officers shall remain in office, during the time mentioned in the resolution council appointing them, or until removed by the council.

CHAPTER X.

BY-LAWS.

When by-laws come into force. **105.** The by-laws of the town shall come into force and shall take effect, if not otherwise prescribed in the provisions contained in such by-laws, fifteen days after their promulgation, except always in the case of appeal as hereinafter provided, and in any other case otherwise provided for by the provisions of this act.

By-laws to be promulgated fifteen days before coming into force. **106.** The by-laws of the town which, in consequence of provisions of their own or of this act, shall only come into force at some fixed period, shall be promulgated at least fifteen days before such period.

By-laws amended or confirmed in appeal to come into force fifteen days after promulgation. **107.** Every by-law passed by the council, and or confirmed in appeal shall come into force fifteen days after its promulgation.

108. The original of every municipal by-law, to be authentic, shall be signed by the mayor, the pro-mayor or by the councillor presiding the council at the time such by-law was passed, as the case may be, and countersigned by the secretary-treasurer ;

Original by-law to be signed by mayor or pro-mayor to be authentic.

2. If it has been necessary to submit the by-law for the approval of the municipal electors, before it shall come into force, and it has received such approval, a certificate under the signature of the mayor, or in his absence, of the pro-mayor and of the secretary-treasurer, certifying to each of these facts, shall accompany and form part of the original of such by-law.

If by-law has been approved by electors, certificate to that effect must accompany original.

109. The by-laws of the town, which shall have been submitted to the approval of the municipal electors, before they came into force and effect, shall only be amended or repealed by another by-law approved of in the same manner.

By-laws approved by electors how amended or repealed.

110. The amendment or repeal by the council, of any by-law, shall be made only by a by-law for that purpose, and before proposing any such by-law, a notice of motion shall be given at a previous meeting.

How by-laws are amended or repealed.

111. The by-laws shall be promulgated by posting the public notice hereinafter mentioned.

By-laws how promulgated, &c.

112. The by-laws shall be published within fifteen days after the passing thereof, or after their final approbation in case they shall have been submitted for approval to the municipal electors by a public notice mentioning the object of the by-law, the date of the passing thereof, and the place where the interested parties may have communication thereof ;

Publication of by-laws by notice.

2. Such notice shall be given under the signature of the secretary-treasurer ;

Notice to be signed.

3. A copy of such notice shall be posted upon or near one of the doors of the town hall ;

Copy to be posted on town hall.

4. In case the town hall shall be destroyed, the council shall fix by a resolution for that purpose, the place where shall be made the posting up of the public notices which ought to have been made at the building so destroyed ;

If town hall destroyed to be posted elsewhere.

5. If the by-law is approved of by the municipal electors, the notice of publication shall also mention that such formality has been observed and the dates when it was complied with.

If by-laws approved by electors, notice to mention such fact.

By-laws may be published in newspapers.

113. It shall be further lawful for the council to order any of its by-laws to be published in one or more newspapers published in the city of Montreal, or which may be hereafter published within the limits of the said town of Longueuil.

Original of by-law to be registered and how.

2. The original of every by-law shall be enregistered at length, in French or in English, in a special book intitled: "Book of by-laws of the council of the town of Longueuil," and this entry shall be signed by the mayor or pro-mayor and countersigned by the secretary-treasurer.

Copy of notice to be also entered.

3. The secretary-treasurer shall be held, moreover, to enter in this book, after the by-law, a copy in French or in English, duly certified by him, of the notice of publication of each by-law inscribed in the book, and a copy likewise certified of the certificate of the posting up of such notice.

SETTING ASIDE OF BY-LAWS.

Petition to set aside by-laws.

114. Any municipal elector may, by a petition presented to the Superior Court of Lower Canada, sitting in and for the district of Montreal, demand and obtain, on the ground of illegality, or informality the setting aside of any by-law of the said town or of any part thereof.

When to be presented.

115. The petition shall be presented within one month from the date of the coming into force of the by-law, and shall set forth, in a clear and precise manner, the reasons alleged in support of the demand, and shall be accompanied by a certified copy of the by-law impugned, if such copy could be obtained.

Copy of by-laws to be annexed.

2. If such copy could not be obtained, the court, upon application being made, shall order the secretary-treasurer or any person in whose custody such by-law may be, to produce such copy.

When and where petition to be served.

116. Such petition shall be served at the office of the said town council, eight days at least, before it shall be presented.

Security for costs to be furnished.

117. The petitioner shall, previously to the presentation of such petition, give security for costs before a judge of the superior court, or the prothonotary of the court, who shall decide as to the sufficiency of such security.

Petition to be presented in court or to judge.

118. Such petition shall be presented in open court or to the judge together with the returns and the preliminary services.

119. If the court, after having heard the parties, is of opinion that the facts and grounds set forth in the petition are sufficient in law to have the by-law declared null in whole or in part, the court shall order proof to be adduced, and the parties interested to be heard, on the nearest day it shall deem the most convenient.

Proof and hearing to be ordered.

120. The court shall proceed in a summary manner to hear the parties and to render judgment on the merits of such petition; the evidence may be taken orally or in writing, in whole or in part, as the court shall order.

Proceedings.

121. The court may condemn either of the parties to pay the costs of the contestation, such costs to be taxed and recovered in the ordinary manner; the court may also order that its judgment be served upon the secretary-treasurer of the council, at the expense of the party condemned to pay the costs.

Costs.

122. The court may, by its judgment, confirm or annul such by-law, in whole or in part, and such judgment shall be published by the secretary-treasurer in the manner prescribed for the ordinary promulgation of the by-laws within the fifteen days next following the service which shall be made, on him of a copy of the judgment.

Judgment.

Publication thereof.

123. Every procès-verbal, roll, resolution, or other order of the council, may be quashed by the Superior Court of the district or by any judge of said court, by reason of any illegality, in the same manner, within the same delay and with the same effect as a by-law of the council.

Procès-verbal, &c., may also be quashed.

124. The corporation of the town shall alone be responsible for the damages and rights of action proceeding from the putting into force of such by-law or of such part of a by-law, passed by its council, and the quashing or setting aside of which shall have been so obtained.

Corporation alone responsible for damages.

OTHER POWERS OF THE COUNCIL.

125. In addition to the powers granted to them by this act, the council may exercise those which are granted to municipal councils of towns and villages by the municipal code, and which are not inconsistent with the provisions of this act.

Other powers of council.

126. One or more of the subjects mentioned in the provisions of this act may be provided for in the same by-law.

One or more subjects may be provided for, by same by-law.

2. In case several subjects, provided for in the same by-law, shall require the approval of the municipal electors,

One approval by electors.

one approval, given by the municipal electors, shall suffice for the entire by-law.

Formalities to be complied with.

127. The council, in the exercise of their powers, in addition to the formalities required by the provisions of this act, shall comply with all those prescribed by the by-laws in force.

Power to make by-laws.

128. It shall be lawful for the council, from time to time, to make such by-laws as may seem to them necessary or expedient, for the internal government of the town, for the improvement of the place, for the good order, and for the good repair, cleansing, and draining of the streets, public squares, and vacant or occupied lots; for the prevention or suppression of all nuisances whatsoever, for the maintenance and preservation of the public health, and generally for all purposes connected with, or affecting the internal management and government of the town

CHAPTER XI.

TAXES.

Power to impose taxes.

129. In order to raise the necessary funds to meet the expenses and to provide for the several necessary public improvements in the town, the council shall be authorized to levy annually, on a simple resolution for that purpose, on persons and on movable and immovable properties in the said town, the taxes hereinafter designated, that is to say:

On immovables.

1. On all lands, town lots or parts of town lots, and on all buildings and erections thereon, a sum not exceeding one cent in the dollar on the real value, as entered on the valuation roll of the town ;

On merchandise.

2. On all stocks-in-trade or goods kept by merchants or traders, and exposed for the sale on shelves in shops, in yards, or kept in vaults or store-houses, a tax of one-half per cent on the estimated average value of such stock-in-trade or goods ;

On tenants.

3. On each tenant paying rent in the town, an annual sum equivalent to two cents in the dollar on the amount of his rent and on each occupant a sum of two cents in the dollar on the annual value of his occupation ;

On dogs.

4. On every dog, kept by persons residing in the town, an annual sum of one dollar ; and on every bitch likewise kept by any such person, an annual sum of two dollars.

130. It shall be lawful for the council to regulate, by a by-law or by-laws, and to impose and levy in the manner and at the time which shall be prescribed by such by-law or by-laws, certain annual taxes or duties not exceeding twenty dollars each person or taxes on the proprietors or occupants of houses of public entertainment, taverns, hotels, coffee-houses, eating-houses, and on all retailers of spirituous liquors; a On hotel-keepers.

131. It shall also be lawful for the council to regulate, by a by-law or by-laws, and to impose and to levy certain annual duties or taxes on all proprietors, possessors, agents and managers of billiards-rooms, ten-pin alleys or other places for games or amusements of a public nature of any kind whatsoever, not exceeding twenty-five dollars; and on all grocers, bakers, butchers, hawkers, hucksters, livery-stable keepers, and on all traders, and manufacturers, and their agents; and proprietors or keepers of wood-yards, or coal-yards, and slaughter-houses in the town, not exceeding ten dollars; and on all money changers or exchange brokers, pawn-brokers and their agents; and on all bankers and banks, and all agents of bankers and banks; and on all insurance companies or their agents, not exceeding fifty dollars; and generally on all commerce, manufactures, callings, arts, trades and professions, which have been or which may be exercised in or introduced into the town, whether the same be or be not herein mentioned, not exceeding five dollars; and every person in the said town, practising the profession of an advocate, physician, land-surveyor, or of a notary or any other liberal profession, within the limits of the town, shall be assessed at the sum of two dollars annually; and the council may appoint, in addition to the assessors, a person or persons to make the roll of the persons and movable property mentioned in the different parts of this section. On other trades, &c.

CHAPTER XII.

ATTRIBUTIONS OF THE COUNCIL.

132. The office of the council shall be that which is occupied by the secretary-treasurer in his official capacity and shall be held within the limits of the municipality. Office of council.

133. Documents produced as exhibits and filed in the office of the council, or with its officers, shall be returned on receipt to the persons who produced the same, whenever they shall require them, provided always that the Documents produced to be returned.

question in relation to which they were produced has been decided.

Services on council when made.

134. Every service, which should be made at the office of the council, may be made with equal validity on the secretary-treasurer personally, out of such office.

By-laws, &c., to:

135. The council shall have the right to make, amend, or repeal or in whole or in part, from time to time, by-laws, upon any of the subjects following :

Regulate proceedings before council.

136. To regulate the manner in which debates are to be carried on, and order and decorum preserved during the sittings of the council or of the committees.

Fix time and duration of sessions.

137. To determine the period of the ordinary sessions of the council, in addition to those of the first Wednesday of each month, and to fix the number of days such sessions may last.

Order reading of by-laws before passing.

138. To order that the municipal by-laws, before the passing thereof, be read two or three times, either on the same or on different days.

Define duties of officers of council.

139. To define the duties, not defined by this act, of the officers of the council.

Assist in constructing, &c., road, &c., by granting, &c., money.

140. To assist by money, granted or lent, in the construction, repair or maintenance of any road leading to the municipality, or of any bridge or public work, under the direction of the corporation of any other municipality.

Aid in construction of bridge, &c.

141. To aid in the construction of any bridge, causeway, pier, wharf, slide, macadamized or paved road, railroad, or other public works, situated in whole or in part within the municipality or in its vicinity, undertaken and built by any incorporated company, or by the provincial government.

Hold stock in telegraph companies.

142. To subscribe for stock in any company organized to build telegraph lines useful to the town.

Compel removal of snow, &c.

143. To compel all proprietors or occupants of houses or other buildings erected on the public street, to remove the snow and ice from the roofs of such buildings or edifices.

Grant rewards for meritorious conduct at fires.

144. To grant rewards, in money or otherwise, to any person who performs a meritorious action at a fire, or who saves or endeavors to save any one from drowning or from other serious accident.

145. To provide for the wants of the family of any person who loses his life at a fire, or while saving or endeavoring to save any one from a serious accident.

Provide for families of any one losing life at fire.

146. To establish and maintain poor-houses, houses of refuge, or other establishments for the support and relief of the poor and destitute; and to aid charitable institutions established in the town or its neighborhood.

Establish poor-houses, &c.

147. To offer and give rewards for the discovery and arrest of persons who have committed criminal offences.

Offer rewards, &c., for discovering criminals.

148. To prevent cock-fights, dog-fights, and every other cruel amusement; and punish whoever takes part in or is present at them.

Prevent cock-fights, &c.

149. To prevent the making deposits of or of leaving within the municipality, or in the waters which bound the same, substances or matters from whence issue noxious gases or odors, such as dead bodies, coal oil, and to regulate the mode of making the deposits of these substances or matters.

Prevent deposit of noxious and other matters.

150. To oblige the owners or occupants of all groceries, cellars, manufactories, tanneries, or other unhealthy and fetid places, to keep them clean and render them wholesome.

Compel owners, &c., of unhealthy places to keep them clean.

151. For the opening of new streets in the said town, as may, from time to time, be required, and upon such conditions as the council shall deem proper, or to close any street in the town, if the council thinks proper or useful, saving all recourse in damages, if any there, be to all parties interested.

Concession of lots and opening and closing of new streets.

152. To establish one or more market-places and to enlarge the same;

Market places.

2. For determining and regulating the duties of the clerks of the markets, and of all persons they may deem proper to employ to superintend the market; and for letting the stalls and other places for selling upon and about the market places; for fixing and determining the duties to be paid by any person selling or offering for sale on any of the markets, any provisions or produce whatever; and for regulating the conduct of all such persons in selling.

Regulating-markets.

3. For regulating and placing all vehicles in which any articles shall be exposed for sale on the said market or markets;

Regulating vehicles on markets.

Trees.

153 To compel proprietors to plant and maintain trees in good order on the front of their properties and determine what kind of trees; and in case such trees shall get dry, or shall be cut down, broken or completely destroyed in any manner whatsoever, to plant in proper season other trees instead of those so destroyed, and to impose such penalty which the said council shall deem advisable, not exceeding twenty five dollars, against all persons pulling out, cutting down, damaging or destroying in any manner whatever such trees, or advising or inciting whomsoever to pull out, cut down, damage or destroy the said trees.

Sale elsewhere
than on
markets.

154. For preventing persons, bringing articles of any kind into the town, from selling or exposing them for sale in any other place than the market or markets, and to regulate the sale of the said articles.

Public weigh-
houses.

155. For the establishment and maintenance of public weigh-houses, and for the management of the said weigh-houses.

Obstructions
in streets.

156. For preventing obstructions of any nature whatsoever in the streets.

Sale in streets.

157. For preventing the retailing and sale on the public streets and highways of any merchandize or produce whatsoever.

Sale of spiri-
tuous liquors.

158. For restraining, regulating or prohibiting the sale of any spirituous, alcoholic or intoxicating liquor.

Regulating
taverns.

159. For regulating and governing shop-keepers, tavern-keepers, and persons selling liquors by retail, in whatever places such liquors may be sold, in such manner as they may deem proper to prevent drunkenness.

Sale of liquors
to children,

160. For preventing the sale of any intoxicating beverage to any child, apprentice or domestic.

Immoderate
driving.

161. For preventing the driving of vehicles at an immoderate pace in the town, and riding on horse-back or on velocipedes, or passing in any other carriages, on the sidewalks, and the barbarous treatment of horses or other beasts, such as beating them excessively in order to oblige them to draw loads or burthens of too great a weight.

Cruelty to
animals.

Sale of bread.

162. For regulating, fixing and determining the weight and quality of bread or other produce sold or offered for sale within the limits of the town, and to determine the

duties of the officer or officers to be appointed by the town council, to weigh and examine such bread or other produce.

163. To prevent the keeping of gaming-houses, places for gambling, or any description of houses of ill-fame, and all kinds of games of chance, in the town. Gaming houses.

164. To establish as many public pounds as the said council shall deem expedient to open, for the impounding of animals of any kind which may be running at large in the town, and to establish a tariff of the fines and duties which shall be paid to public pounds. Public pounds.

165. To create and establish, a police force in the town, and to determine its duties which shall not be specially provided for by the provisions of this act. Police force.

166. To compel the proprietors of all lands and real property within the town, their agents or representatives, to fence the same ; and to regulate the height, description and material of every such enclosure. Fencing lands.

167. To compel the proprietors or occupants of lots of land in the town, having stagnant or filthy water upon them, to drain or raise such lands, so that the neighbors may not be incommoded, nor the public health endangered thereby ; and, in the event of the proprietors of such lands being unknown, or having no representative or agent in the town, it shall be lawful for the said council to order the lands to be drained, or raised, or to fence in and enclose them at their cost ; and the council shall have the like power, if the proprietors or occupants of such land are too poor, or are unknown or refuse to drain, raise or fence in the same ; and, in every such case, the sum expended by the council, shall remain as a special privilege with the same rank as municipal taxes. Drainage.

168. To oblige proprietors or occupants of houses in the said town, to remove from the streets all encroachments or obstructions of any sort. Removal of obstructions.

169. To compel proprietors or occupants of lots in the town, to remove, in the delay to be fixed by law, the snow during the winter, from the sidewalks fronting such lots and to keep in repair in all seasons of the year, one-half of the width of the part of the street on which such lot may front, and the council shall have the power to have such work done, and to exact the cost thereof from any person in default. Removal of snow from sidewalks.

Removal of
old walls, &c.

170. To cause to be pulled down, demolished, removed, and carried away when necessary, all old walls, chimneys or buildings of any description that may be in a state of ruin, and to determine the time and manner in which the same shall be pulled down, demolished, removed or carried away, and by whom the expenses thereof shall be borne.

Width and
levelling of
streets.

171. For regulating the width of streets; for regulating and altering the line and height or level of any street or sidewalk in the town; provided, that if any person shall suffer real damage by the widening, lengthening, dressing the lines, or altering the level of any street, such damage shall be paid to such person, after having been assessed by arbitrators, if any of the parties shall require.

Taxation for
drainage.

172. For assessing the proprietors of real estate, situate on any of the streets, or on any part thereof, for such sum as shall be deemed necessary for making or repairing any common sewer in any of the streets, or in any determined portion of such streets, in the manner which shall be specified and fixed by the by-laws, and for regulating the manner in which such assessment shall be collected and levied; provided always that the council shall not be authorized to assess the proprietors in any street, or any part thereof, for making or repairing such sewers, unless one-third in number of the proprietors of such street, or of any determined part thereof, shall have prayed for such undertaking, and called for such assessment; provided also that it shall be lawful for the council to aid in the construction of such undertaking in a ratio of not more than one quarter of the total cost thereof.

Water supply.

173. To provide for the establishing and maintaining of aqueducts, public wells or reservoirs to supply the town with water, and make by-laws for the protection and management of such aqueducts, public wells or reservoirs, for preventing public water from being soiled or wasted uselessly or contrary to such by-laws; for restricting the use of the same as circumstances shall require, in the opinion of the said council; for forbidding any person to give, or allow any persons to take water when the council has taken it away from them.

Water rates.

174. When the water rates shall not be sufficient for paying the interest on the sums expended for establishing or building such aqueducts, and for creating a sinking fund, to assess in the manner and at the time provided on section two hundred and forty of this act, all taxable real estate in such town at an annual special tax not exceeding three-fourths of a cent in the dollar of their assessed value

of the real estate; provided the said corporation shall be bound, on demand, to convey the water opposite any property on which there is a building, situated at a distance not exceeding one hundred and eighty feet from the point where water-pipes have been previously laid down, and above the annual special tax, to provide for the payment by all persons occupying houses or lodgings for which the council shall have conveyed water or caused it to be conveyed, of a water-rate based on such tariff or scale as the said council may deem expedient: provided always, that the council shall have the right to oblige every person to pay the water-rate whether they use the water or not, as soon as the council shall have notified such person by a verbal or written notice, given by the secretary-treasurer or by any police constable in the town, that it has conveyed, at the cost of the corporation, the water to the house occupied by such person, to a distance of at least ten feet within the line of the street; if the building erected on such property is at an equal or greater distance from the line of such street, and it shall be lawful for such council to exact from the proprietor, tenant, sub-tenant, or occupant, the payment of the water-rate, in case a dwelling house or shop, is occupied by several tenants, sub-tenants or occupants, who would be deprived of the use of the water through the proprietor refusing or neglecting to give to each tenant, sub-tenant or occupant a distinct water pipe; provided the tenant, sub-tenant, or occupant, who shall be obliged by such council to pay the compensation, shall have the right to be reimbursed by the proprietor and to deduct for that purpose an amount equal to the water-rate by him so paid from and out of the rent that he may then or will hereafter owe the proprietor; and it shall, moreover, be lawful for the said council to make special arrangements with interested parties, to supply water to any person without the limits of the town, provided such persons shall conform themselves to the by-laws concerning the management of the said aqueducts, and also to supply water for the use of steam engines, breweries, distilleries, tanneries, manufactories, mills, livery-stables, hotels, or other special cases.

175. All annual special taxes or water rates which the council may impose and establish in virtue of the preceding section shall be collected and levied, in the manner hereinafter prescribed for the collection of the general taxes, observing however that for the payment of the water-rate the council can only call on persons using or who are supposed to use the water, without prejudice to what is provided with respect to the collection of the water-rate, in the preceding section, as to tenants, sub-tenants or oc- Collection of
water rates.

cupants, deprived of the use of the water by the fact of the proprietor refusing or neglecting to give each of them a distinct and separate pipe.

Stoppage of
water.

176. It shall be lawful for the council to stop the water supply from a person refusing or neglecting to pay the annual special tax, or the compensation for the use of water, or any other tax due to the corporation, and from any person allowing the water to go to waste, or using the same contrary to the by-laws of the town, or refusing to admit, as hereinafter provided, within his house, or upon his property, the officers appointed by the council for the management and supervision of the aqueducts, and such person, shall remain, nevertheless, responsible for the arrears of taxes and water rates and be bound to pay the same, and such person shall also be bound to pay any such annual special tax and water rates, becoming due thereafter as if he had used the water; and the council shall not be responsible for the quantity of water to be supplied, and no person shall, by reason of the insufficiency of the water, refuse to pay such annual special tax, or such compensation.

Compelling
proprietors,
&c., to allow
works to be
performed on
their property.

177. The council may compel the proprietors or occupants of such lands or properties, within or without the said town, to allow all necessary works to be made upon their properties, saving indemnity for actual damages caused to such lands or properties; and the council may appoint such officers as they shall think proper, for the management of such aqueducts, and such officers shall have the right to enter into any house or building whatsoever, or upon any property, within and without the town, with a view of ascertaining whether the public water is wasted or not, and whether the by-laws of the council relative to the aqueducts are duly put into operation, and it shall be the duty of the proprietors or occupants of any such house, building or property, to allow said officers to visit such house, building or property, under the penalty of being deprived of the use of said water as long as such proprietor or occupant shall not allow or shall prevent such visit by the officers, and further under a penalty not exceeding twenty dollars, and in default of payment an imprisonment not exceeding one month.

Power respect-
ing water sup-
ply may be
transferred.

178. It shall be lawful for the council to transfer by a by-law to that effect, their rights and powers, concerning the supply of water for the town, to any person or company who shall consent to take charge thereof, provided that such person or company shall not exceed the rates to

be levied upon the persons bound to take water, which rates the town council shall fix by this by-law.

179. For assessing, at the request of the majority of the citizens residing in any of the streets of the town or in any special portion thereof, or on any of the public squares of the town, the real estate occupied or possessed in any such street or part thereof, or on any such public square, for such sums as may be necessary to meet the expenses of sweeping, watering and keeping clean such street or portion thereof, or such public square, and for removing the snow from any such street or special part thereof, and from any such public square, and this, according to the assessed value of the real estate. Taxation of certain localities for local purposes.

180. To assess, over and above all other rates especially established by this act, all the citizens of the town, to meet the expenses of any indemnity which the council might be obliged to pay to persons in the town, whose houses or buildings of any description might be destroyed or damaged by any riot or tumultuous meeting; and if the council shall neglect or refuse, within six months after such destruction or damages caused to any property in the town, to pay a reasonable indemnity, to be established by arbitrators, if one of the parties shall so desire, then the corporation shall be liable to be sued before any court of justice in this province, for the recovery of such damages. Taxation to pay damages, &c.

181. For fixing the place for the erection, in the town, of gas-works, tanneries, candle or soap manufactures, and of all other manufactures or machines moved by steam or otherwise, and for regulating the construction of the same. Places for manufactories.

182. For establishing a board of health, and investing them with all the privileges, power and authority necessary for the fulfilment of the duties entrusted to them, or for acquiring every useful information on the progress or general effects of all contagious diseases, or for making such regulations as such board of health shall deem necessary for preserving the citizens of the town from any contagious diseases, or for diminishing the effects or the danger thereof. Board of health.

183. For regulating the construction, dimensions or height of chimneys, above the roofs, or even in certain cases above the neighboring houses and buildings. Chimneys.

184. For defraying out of the funds of town any expenses that the council shall deem necessary to incur for the purchase of fire-engines or apparatus of any kind. Fire-engines.

to be used at fires, or for taking such means as shall appear to them more effective for preventing accidents by fire, or arresting the progress thereof.

Depredations
at fire.

185. For preventing thefts and depredations which may be committed at any fire in the town.

Investigation
into causes of
fire.

186. For making, authorizing or requiring to be made after each fire in the town, an inquiry into the cause and origin of such fire.

Sweeping of
chimneys.

187. For regulating the manner in which and the periods of the year when chimneys shall be swept, and for granting licenses to such number of chimney-sweeps as the council shall think proper to employ, and for obliging all proprietors, tenants or occupants of houses in the town to allow their chimneys to be swept by such licensed chimney-sweeps; and for fixing rates to be paid to the corporation or to such licensed chimney-sweeps, and for imposing a penalty of not more than five dollars, on all persons who shall refuse to allow their chimneys to be swept.

Ashes and
lime.

188. For regulating the manner in which ashes and quick lime shall be kept in the town, and for preventing the inhabitants of the town from carrying fire in the streets without necessary precaution, from making a fire in any street, from going from their houses to their yards and out-buildings, and entering therein with lights not enclosed in lanterns; and generally for making such regulations as they may deem necessary for preventing or diminishing accidents by fire.

Persons present
at fires.

189. For regulating the conduct of all persons present at any fire in the town; for obliging idle persons to assist in extinguishing the fire, or in saving effects which may be in danger, and for obliging all the inhabitants of the said town to keep at all times upon and in their houses, ladders, fire-buckets, battering rams, and fire-hooks, in order the more easily to check the progress of fire.

Assisting persons
wounded,
&c., at fires.

190. For defraying out of the funds of the town any expense which the council shall deem expedient to incur, in aiding or assisting any person in their employ, who shall have received any wound or contracted any disease at any fire in the town; or in assisting or providing for the family of any person in their employ who shall have perished at any fire; or in bestowing and distributing rewards in money or otherwise upon persons who shall have been particularly useful or zealous at any fire in the town.

191. For vesting in such members of the council, or in the fire inspectors, or either of them, to be designated in such by-laws, the power of ordering to be demolished, during any fire, any houses, buildings, out-houses or fences, which might serve as fuel to the fire, and endanger the property of the other inhabitants of the town, saving the obligation of paying to the proprietors of the buildings so demolished, the damage which they may have suffered to the amount which shall be agreed upon between such proprietors and the council, or in case of contestation, to the amount which shall be fixed by an arbitration chosen by the interested parties. Demolishing buildings at fires.

192. For appointing all such officers as the council shall deem necessary for carrying into execution the by-laws to be passed by them in relation to accidents by fire; for prescribing their duties and powers, and providing for their remuneration if they think fit, out of the funds of the town. Appointing fire officers.

193. For authorizing the formation and organization of one or more companies of firemen or sappers, and for determining the duties of the members of such companies. Firemen.

194. For authorizing such officers, as the council shall think fit to appoint for that purpose, to visit and examine at suitable times and hours, that is to say, between nine o'clock in the morning and four o'clock in the afternoon, either the inside or the outside of all houses and buildings of any description, within the town, for the purpose of ascertaining whether the by-laws passed by the said council, under the authority of this section, are regularly observed; and for obliging all proprietors, or occupants of houses in the town, to admit all officers of the corporation for the purposes aforesaid. Fire inspectors.

195. For regulating the building of hog-sties and privies; for regulating the places where such hog-sties and privies shall be built; for obliging all persons to clean their stables, hog-sties, out-houses, privies and yards, at such times and in such manner as the council shall deem expedient; for preventing deposits being made of substances or matters exhaling gas or infect odours in the town, or for reguting the manner in which such deposits shall be made. By-laws for hog-sties, &c.

196. For preventing owners of dogs from allowing them to go free through the town, or for determining under what conditions they may be so allowed, and for authorizing the killing of all dogs found in contravention with the by-laws of the council. Dogs.

Theatres and
circuses, &c.

197. For regulating the manner in which shall be kept theatres, circuses, menageries or other like exhibitions, and submitting the same to a license or duty, and any duty imposed by any by-law made under this section, may be levied, if not paid on demand, on all goods and chattels, even on those usually exempt for seizure, found in possession of any person connected with such theatre, circus, menagerie, or exhibition, under a warrant of attachment signed by the mayor or by a justice of the peace of the town, and to be executed *instanter* without any other preliminary formality; and for prohibiting any representation or exhibition which might injure public safety or morality.

Bathing, &c.,
in open air.

198. For preventing persons from bathing in sight of the public, and for imposing upon any person contravening the provisions of this section, a fine not exceeding twenty dollars, over and above costs, and in default of payment an imprisonment of not more than thirty days.

Police stations
and lock-up.

199. For establishing, within the town, one or more houses of confinement, police stations or other houses of confinement, for the safe-keeping of any persons arrested for any infringement to law or to any by-law of the council, until they may be brought before the mayor, or any councillor or justice of the peace for the district, or conveyed to gaol, if there be reason therefor, after their conviction.

Water-courses
and ditches.

200. For causing to be opened, deepened, widened, covered, and properly maintained all boundary ditches, common ditches, or all water-courses common to several lands, whether such lands are situated within the limits of the town, as they shall deem necessary for the easier draining of any land situate within the town, and for regulating when, in what manner, and by and at whose cost such works shall be made; and, in case the said council shall think it more advisable to cause the said works to be made at the common expense of the interested parties, they may assess the owners of all lands, drained by such ditches or water-courses to such sums as shall have been required for that purpose, and that, in proportion to the assessed value of such lands, or the length of such ditches or water-courses upon such lands; and for regulating the mode of collecting and levying such assessments; and the council may appoint an inspector of water-courses, regulate his duties, and impose penalties, not exceeding twenty dollars, and in default of payment an imprisonment not exceeding one month, upon any person obstructing, or allowing any one to obstruct such

Inspectors of.

ditches or water-courses, or refusing to make or to allow to be made all works ordered by the inspector, under the said by-laws; provided that it shall be lawful for the council to assume, for a period of time fixed by a by-law passed for that purpose, all the works connected with such water-courses and ditches and cause them to be made at their own expense, and under their responsibility, if they think it advisable.

201. For preventing or regulating the building of slaughter-houses, which may become public nuisances, or causing such slaughter-houses already existing in the town, to be removed. Slaughter-houses.

202. For the granting of licenses to carters, owners or drivers of public vehicles for hire, in and for the town, and for the good government of the owners or drivers thereof, and for establishing rules and by-laws in respect of carts, cabs, calashes, carriages or other public vehicles of hire, in and for the town, and also for establishing a tariff of rates therefor, and for imposing a fine or penalty on any person who after having hired, engaged or employed carters in the town, shall neglect or refuse to pay them for their services at the rates established by the said tariff, and on any carter, proprietor and conductor of public vehicles, who shall exact in any manner whatsoever, a larger amount than allowed by the tariff, and to force any carter, owner and driver of public vehicles, by means of penalties fixed by by-laws of the town for that purpose, to grant their services to any person who shall require such services, at the rate fixed. Management of carters.

203. To impose an annual tax, not exceeding five dollars, on all proprietors or possessors of horses or vehicles owned for pleasure, for use or business purposes. Tax on pleasure horses or vehicles.

204. For imposing an annual tax, not exceeding fifty dollars, on all persons owning livery stables or leasing horses or vehicles for hire, within the limits of the town. Tax on livery stables, &c.

205. For providing for the lighting of the town in such manner as shall be deemed proper; for protecting all pipes, lamps or other things necessary for such purpose; also to provide for the establishment, maintenance and protection of one or more fire alarm telegraphs; for compelling all proprietors or occupants of any house, building or land within the town, to allow the laying of such necessary pipes, telegraph lines, electric wires, lamps and posts in such houses or on such lands, reserving actual Lighting the town.

damages, if any there be ; and for punishing any person breaking, destroying, impairing or putting out, without authority, or attempting or aiding, advising or inciting whomsoever to break, destroy, impair or put out the said pipes, telegraph lines, electric wires, posts or lamps.

Dividing town
into lots and
numbering
same.

206. For compelling all owners or tenants to allow numbers to be posted on their houses, or on such lots as well as the names or numbers of the streets and avenues of the town, on such lots or houses which the council may designate, under a fine not exceeding twenty dollars and, in default of payment, an imprisonment not exceeding one month, against any person who shall remove, destroy, attempt, aid, advise, or incite whomsoever to remove or destroy such numbers or names.

Storage, &c.,
of powder, &c.

207. For providing that powder, oils, fluids and other inflammable liquid or matter be safely kept ; for regulating and determining what quantity of the same may be kept in every house or building within the town ; for compelling any person, desirous of keeping a larger quantity, to provide for premises approved of by the council for such purpose ; for causing to be removed any such powder, oil, fluid or other inflammable liquid or matter kept or carted against the by-laws of the council, made under this section ; for preventing any person from firing fire-works or crackers or fire-arms in any street, or public square within the town, or for regulating the manner in which such exercises may be allowed, and the places in the town where they shall be allowed in certain cases, if the council think proper.

Fire-works, &c.

CHAPTER XIII.

SPECIAL POWERS, EXEMPTIONS FROM TAXATION, LOANS, ETC.

Granting
bonus to fac-
tories, &c.

208. The council may, at any time, grant to any person or company, desiring to establish any industry or any manufacturing business calculated to promote the interests of the town, certain sums of money payable, either in cash or in debentures, as the council think proper, and impose at the same time, if it think proper, a special tax on the real estate subject to taxation for the payment of the annual interest and sinking fund, provided always these loans or grants shall be made only after having obtained the approval of the majority of the electors, being proprietors in the town, who have voted, representing more than one half in value of the annual taxable real property of those who shall have thus voted on such by-law, passed to that effect, within the thirty days after the

passing of the said by-law by the council amending to the provisions of section two hundred and twelve of this act, relating to loans.

2. The council may also, with a view of encouraging such person or company or manufacturing concern, exempt them from paying any assessment, during a period not exceeding twenty years. Immunity from taxation for a limited period.

3. The council may also contribute to the cost of building and towards the maintenance of the registry office of the county of Chambly in the same proportion as the other municipal corporations of the county, according to the amount of the taxable real estate; provided that the registry office be established within the limits of the town. Registry office.

LOANS.

209. It shall be lawful for the town council, from time to time, to borrow divers sums of money for effecting improvements in the town, or for the purpose of building one or more market-houses, or for draining the streets, and generally for such purposes as the said council shall deem useful or necessary within the limits of its corporate powers. Power to borrow money.

210. Whenever the corporation shall contract loans, the council shall be bound to provide immediately for the payment of the annual interest upon such loans, which annual interest shall not, in any case, exceed the legal rate of interest in this province; and the council shall set aside a portion of their revenues for the payment of such interest; and the said council shall also, whenever they shall contract a loan, provide out of their revenue for the establishment of a sinking fund; provided always, that when the interest and sinking fund united shall absorb one-half of the annual revenues of the town, then and in such case, it shall not be lawful for the town to contract new loans. To provide for payment of interest. Sinking fund. Proviso.

211. It shall be lawful for the council to contract loans by issuing bonds or debentures signed by the mayor, countersigned by the secretary, and sealed with the seal of the corporation, payable to the bearer thereof, at such periods as the council may think proper to fix, and such bonds or debentures shall bear interest, payable semi-annually, and at a rate not exceeding the legal rate of interest in this province; and coupons for the amount of the semi-annual interest thereon, may be annexed to all such bonds or debentures, which coupons, being signed by the mayor and countersigned by the secretary treasurer, shall be Power to issue debentures.

payable respectively to the holder thereof, when and immediately after the semi-annual interest therein mentioned shall become due.

Power of borrowing limited.

212. Whenever the interest and sinking fund of the loan or loans shall absorb one-half of the revenues of the town, the council shall, in no case, contract new loans without having obtained the approval of the majority of the electors, being proprietors of the town, who have voted representing more than one half in value of the assessed real property, who shall have thus voted on every by-law authorizing any of such loans, within thirty days after its passing by the council;

Approval by electors.

2. Such approval shall be expressed in a public meeting, presided over by the mayor, or, in his absence, by the pro-mayor, the secretary-treasurer acting as secretary, and duly called by notice, signed by the mayor or by the secretary-treasurer, published and posted up in the manner prescribed for the publication and posting up of the public notice required by the provisions of this act, for the publication of by-laws; provided always, that six qualified municipal electors may demand a poll;

Poll may be demanded.

Poll how held.

3. A poll shall be granted by the mayor, or in his absence, by the pro-mayor, on being so demanded, and shall be held within four days next after such meeting, the secretary-treasurer acting as poll-clerk under the direction of the mayor or of the pro-mayor, as the case may be;

Voting on such loans.

4. Each elector shall then present himself in turn and shall give his vote by "yea" or "nay"; but no person's vote shall be received unless the name of such person be inscribed on the municipal voters' list, then in force; provided always, that such poll shall be held on two consecutive juridical days, from nine o'clock in the morning until four o'clock in the afternoon;

Counting votes.

5. At the close of the poll, the mayor, or the pro-mayor; as the case may be, shall count the "yeas" and the "nays," and, within four days thereafter, the secretary-treasurer shall lay before the council, a statement shewing the value of the real property of each of the voters (according to the valuation roll then in force,) and this statement shall be kept by him with the voting list among the archives of his office, and if the said by-law is approved of, the council may then contract the loan;

Limitation as to power to contract loans.

6. In no case shall the council have the power to contract loans by debentures or otherwise, or to dispose of any funds they may have in their possession, to take shares in

or to aid any company, unless they shall be thereto authorized by a by-law, approved of in the manner hereinabove prescribed ;

7. The council, for the purpose of transacting more advantageously the affairs of the municipality, while waiting for the complete collection of the general or special taxes, and water rates, by a simple resolution to that effect, may contract, from time to time, temporary loans by means of notes or notarial deeds, for an amount not exceeding, each year, two-thirds of the revenue for such year, arising from the fund of the general and special taxes, water rates and arrears thereof.

Power to borrow money temporarily.

CHAPTER XIV.

PUNISHMENT FOR INFRACTION OF BY-LAWS.

213. If any person shall transgress any by-law made or order given by the council, under the authority of this act, such person shall, for every such offence, forfeit the sum specified in such by-laws, with the costs; the said fine and costs, to be levied on the goods and chattels of the offender, and in default of payment of the fine and costs, the offender shall be liable to be committed to the common goal of the district, for a term not exceeding one month, except in the cases otherwise provided for by this act ;

Penalties for infraction of by-law.

2. The information or complaint for any breach of any orders or by-laws of the said town council, shall be made within the six months next after the committing of the offence ;

Information to be laid within six months.

3. The council shall also have the power to punish, by forfeiture of their goods and provisions, all persons exposing them for sale on the markets, or in the streets of the town, and infringing the by-laws of the council as regards the weight or the quality.

Forfeiture of goods, &c.

APPOINTMENT OF CONSTABLES.

214. It shall be lawful for the council, by resolution, to appoint, dismiss and replace, from time to time, a sufficient number of men to compose the police force of the town ;

Council may appoint, &c., a police force.

2. Such men shall be sworn before any member of the council, or before any justice of the peace for the district of Montreal, to act as police officers or constables, in order to preserve peace within said town ;

How sworn.

To obey orders.

3. The police officers or constables shall obey all legitimate orders they may receive from the council, from any of its members individually, or from any justice of the peace of the district of Montreal ;

Powers and duties of police officers and constables.

4. All and every the police officers or constables aforesaid shall be vested with all the necessary powers for the accomplishment of the duties imposed upon them ; and it shall be lawful for them to arrest on view and without a warrant any person they may find breaking the public peace, or lying or loitering, either during the night or daytime, in any highway, field, yard or other place, or putting up or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing some tumult in the public streets or highways or on any part of the beach of the river St. Lawrence within the limits of the town, by shouting, cursing or otherwise, and any person infringing upon any federal or provincial law, or any by-law of the town, and in a like manner, all persons advising, aiding or encouraging whomsoever, to infringe any such federal or provincial law, or any such by-law of the said town ; and it shall be lawful for them to arrest on view and without a warrant, any such persons immediately or immediately after the commission of the offence, on good and sufficient information being given as to the nature of the offence ;

5. They shall also have power and authority to arrest, even outside the limits of the said town, all person who shall have infringed any federal or provincial law, or any by-law of the said town as aforesaid, or who shall have advised, aided, or encouraged whomsoever to infringe any such federal or provincial law, or any such by-law ;

6. They shall have power and authority, within the limits of the said town, to serve all summons and subpoenas and execute all warrants and other proceedings for the arrest and the confining into goal, of all persons accused or detained for subsequent examination or for trial, or arrested in virtue of a warrant of execution for the commission of any crime or misdemeanor, or the violation of any federal or provincial law, or any by-law of the town ;

7. It shall be lawful for any police officer or constable, of the said town, and it shall be lawful for any one of them individually, to go into every house, store-house, grocery store, shop, inn or other suspicious house, and to go in

every yard or other places within the limits of the town, in which any person may be reasonably suspected to be for ill motives, and if any such person be found in such places, the said police officers or constables shall arrest on view and without a warrant, and shall keep in custody any such person as in the case of other arrests by such police officers or constables ;

8. They shall have also power and authority to go into every inn, hotel, and in every licensed shop for the sale of spirituous, vinous or fermented liquors, to ascertain if the laws regulating such houses, or if the by-laws, which the council shall have established concerning these houses, be observed, and to arrest on view and without a warrant all persons found in every such house, in contravention of all such laws, by-laws, orders and ordinances, as aforesaid ;

9. The said police officers or constables may, at any time, go into any store-house, shop or other houses not licensed for the sale of spirituous, vinous or fermented liquors, wherein they shall suspect such liquors are sold, and may arrest on view and without a warrant every person contravening the laws prohibiting the sale of spirituous, vinous or fermented liquors without license ;

10. Any such persons so summarily arrested may be conveyed to one of the police stations, of the town, there to be safely kept until they may be taken before the mayor, a councillor, or a justice of the peace : but such persons so arrested may give bail or a sufficient recognizance, to be taken or received by the said mayor, councillor, or justice of the peace to appear on the day appointed, before the said mayor, councillor or justice of the peace ;

11. 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.

215. It shall be lawful for the council to order the inspector of the town, or any constable in the police force thereof, to notify any parties who shall have or shall hereafter make any encroachments upon the streets, beach or public squares, by means or houses, fences, fence doors opening on the streets, and sidewalks, or buildings or obstructions of any kind, or removing earth from the surface of any such street, beach or public square, to

Person arrested may be bailed or locked up.

Constables may serve papers, &c.

Parties to be notified to remove obstructions and encroachments on streets, &c.

cause the removal of such encroachments or obstructions, or to cease to remove such earth from the surface of the places aforesaid and to fill up the excavations they have so made, by giving to such persons a reasonable delay for the purpose, which delay shall be specified in giving such notice; and if such persons shall not have removed such encroachments or obstructions and shall not have discontinued such excavations, and shall not have filled up the same, it shall be lawful for the corporation, to cause the removal of such encroachments of obstructions and cause such excavations to be filled at the expense of the proprietors, tenants or occupants, or any other person, in default; provided that the constables of the police force shall the right to prevent any one from removing earth from the surface of any street, beach or public square from continuing to remove the same by arresting such person on view and without any warrant, and the expense incurred for such purpose by the corporation shall be assimilated to municipal taxes and shall as such be a charge upon the property on which or in connection with which such work shall have been done or of the property of the person or persons in default, if such persons are proprietors.

Permit to cut
ice in river.

216. No person shall be allowed to cut and take away ice in the river, in front of the town, without having previously obtained from the inspector a permission in writing, and such person shall, in that case, surround the place where the ice is taken so as to prevent all danger, and if such person neglects so to do, the inspector shall have the power to cause these necessary works to be made at the expense of the person in default, who may moreover be condemned for each offence to a fine not exceeding twenty dollars and the costs, and in default of payment of the fine and costs, to an imprisonment not exceeding one month.

Power to buy
property en-
croaching on
streets.

217. It shall be lawful for the council, whenever any house shall encroach upon any of the streets or public squares of the town, to prevent the proprietor of such house from rebuilding on the site occupied by the demolished house; and it shall be lawful for the council to purchase such part of such lot, encroaching upon any street, or to require the proprietor of such land, to dispossess himself thereof, in consideration of an indemnity therefor; and such indemnity shall be fixed in the manner determined in chapter 17 of this act.

Power to ac-
quire property
for public
purposes.

218. The said council shall have power to purchase and acquire, out of the revenues of the town, or by

exchange at such charges, clauses, conditions and considerations they shall think advisable, all such lots, lands and real property whatsoever within the town, which shall be deemed necessary for the opening or widening of any street, public square or market place, or for the erection of any public building, or generally for any object of public utility.

219. Notwithstanding the provisions of the preceding section, the said council, by a by-law to that effect, shall have power to order that any street or streets in the town shall in future be widened gradually to a specified width, which shall be mentioned in the by-law and thereby fix and determine the new lines thereof; to order that the land required for such widening be, from time to time, acquired or expropriated as the buildings or erections thereon shall be removed or destroyed as the said council shall fix or determine by such by-laws; and to order that such improvements be made out of the funds of the town or that the cost thereof be levied in whole or in part upon the lands or portions thereof belonging to parties who are interested in or who shall benefit by such improvements; and the corporation of the town shall have the right to purchase and take possession of any land or real estate whatsoever within the limits of the town, either by mutual agreement with the proprietor thereof or any other interested person or by expropriation; provided always that nothing in the present act contained shall prevent the said council from passing any by-law ordering the immediate widening or extension of any street or streets.

220. Within eight days from the coming into force of any by-law ordering the opening, extension or widening of any street or public square, the secretary-treasurer shall give special notice to the proprietor or proprietors of the land, required for the improvement of such street or public square, at their present or last known domicile, of the passing of such by-law, and no damage or compensation shall be allowed for the buildings, erections or improvements which may be made upon the land required for such improvements by the proprietors or any other persons entitled thereto, after the service of such special notice, and the compensation for such lands shall be payable within one year.

CHAPTER XV.

REFUSAL OF OFFICE.—PENALTIES.

Penalties for refusal to accept certain offices.

221. Every person who, being elected or appointed to any of the offices hereinafter mentioned, shall refuse or neglect to accept such office, or to perform the duties of such office, during any portion of the period for which he shall have been so elected or appointed, shall incur the penalty hereinafter mentioned that is to say :

1. The office of mayor, one hundred dollars ;
2. The office of councillor, fifty dollars ;

For neglecting to make valuation.

222. Whenever the assessors shall neglect to make the valuation, which they are required to make or neglect to draw up or cause to be drawn up, sign and deliver the valuation roll to the secretary-treasurer, at the expiration of the delay granted to them, for that purpose by the council, every such assessor shall incur a penalty of two dollars currency for each day which shall elapse between the expiration of the said delay, and the day upon which such valuation roll shall be so delivered or his successor in office be appointed.

For refusal, &c., to conform to provisions of this act.

223. Every member of the council and every officer appointed by the council, who shall refuse or neglect to perform any of the duties imposed upon him by this act, shall incur a penalty not exceeding twenty dollars.

Illegal voting.

224. Every person who shall vote at any election of mayor or councillors, without having, at the time of giving his vote at such election, the qualifications required to entitle him to vote at such election, shall thereby incur a penalty of not more than eighty dollars and the costs.

Neglect by road officer.

225. Every inspector of roads or road officer, who shall refuse or neglect to perform any duty assigned to him by this act, or by the by-laws of the council, shall, for each day on which such offence shall be committed or shall continue, incur a penalty of one dollar, unless some other and heavier penalty be by law imposed for such offence ;

Preventing officers in performance of their duty.

226. Every person, who shall hinder or prevent, or who shall attempt or incite, advise or encourage whomsoever to hinder or prevent, any officer of the council in the exercise of any of the powers, or in the performance of any of the duties conferred or imposed upon him by this act, or by any by-law or order of the council, shall incur a penalty not exceeding twenty dollars for every such offence ;

227. Every person who shall wilfully tear down, injure or deface, or who shall attempt, incite, advise or encourage whomsoever to tear down, damage or deface any advertisement, notice, or other document required by this act, or by any by-law or order of the said council to be posted up at any public place, for the information of persons interested, shall incur a penalty not exceeding twenty dollars for such offence ;

Tearing down,
&c., by-law,
&c.

228. Every person, who shall post up immoral, libelous or scandalous notices, or set up indecent drawings, statues or pictures, shall incur a penalty of not more than one hundred dollars and costs and in default of payment an imprisonment, of not more than six months, and any person, who shall be convicted of being the author of such notices, or of having counselled or encouraged any person whatever to write or post up such notices or to exhibit such pictures, statues and drawings, shall incur a like penalty and a like imprisonment in default of payment of the fine.

For posting im-
moral, &c.,
notices, &c.

CHAPTER XVI.

PROPERTY EXEMPT FROM TAXATION.

229. The following property shall be exempt from taxation in the town of Longueuil :

Property
exempt from
taxation.

1. All lands and property, belonging to Her Majesty or her successors, held by any public body or office, or by any person for the service of Her Majesty and her successors ;

2. All properties or buildings belonging to the federal or provincial government ;

3. All places devoted to public worship, parsonages and their dependencies, burial grounds, and all property belonging to *fabriques*, or to religious, charitable or educational institutions or corporations, or occupied by such *fabriques*, institutions or corporations, for the ends for which they were established, and not possessed solely by them to derive a revenue therefrom ;

230. The proprietors of the property mentioned in the preceding section shall, nevertheless, be bound to the making and maintenance of roads, streets, water-courses, ditches, in conformity with the by-laws of the said town council, and such proprietors shall also be bound to pay

any special tax for that purpose and the compensation for the use of water as may be imposed by the said council.

CHAPTER XVII.

EXPROPRIATIONS.

Council may appropriate land.

231. The council may, by complying with the following provisions, appropriate any land required for the execution of works ordered by it, within the scope of its jurisdiction.

Council not to injure canal, &c.

232. The council shall not, without the consent of the owner, in any manner, injure any canal, or the dam of any mill or manufactory, nor divert the course of the water, which feeds such canal, mill or manufactory.

Indemnity for land expropriated.

233. The indemnity, to be paid for any land liable to expropriation, may be fixed and established by agreement between the council and the proprietor thereof, if he is of age and in possession of civil rights; and it may also be agreed that no indemnity shall be accorded to the expropriated proprietor.

Arbitration in certain cases.

234. In the absence of an understanding between the parties, or if the proprietor is a minor and has not the exercise of his civil rights, the value of the land in question, together with whatever goes in compensation against the value of such land, shall be estimated by arbitrators named as follows : one by the council, one by the proprietor or on his behalf, or in his default by a judge of the superior court and a third by the two former, or if they cannot agree, by a judge of the superior court, on demand of any of the interested parties.

Proceedings before arbitrators.

235. The arbitrators shall proceed at the time and place fixed by them, of which they shall have given at least ten days' special notice to the parties interested.

Decision of arbitrators.

2. The arbitrators, after having examined and valued the land and heard the parties and their witnesses, under oath administered by one of them, if they deem it expedient, shall give their decision by means of a certificate signed by them or by the majority of them, and which they shall file in the office of the council.

To be final.

3. Such decision shall be final and without appeal.

Arbitrators to be sworn.

4. Arbitrators, before acting, shall be sworn.

236. On payment or lawful tender of the amount of the indemnity agreed upon or allowed, or on the deposit thereof under the following section, the corporation shall be entitled to take possession of the land.

If such taking possession is resisted or opposed by any person, any judge of the superior court, on proof of the decision of the arbitrators, and of the payment, or tender, or deposit, as the case may be, may issue his writ addressed to any bailiff or to the sheriff, in order to have the corporation placed in possession of such lot and to cause all resistance or opposition to cease, and which the bailiff or sheriff shall accomplish, providing himself to that end with the assistance required.

237. If the expropriated proprietor is unknown, or if the council, through apprehension of future claims or for other motives, deems it advisable so to act, the amount of the indemnity together with six months interest thereon, shall be deposited in the office of the prothonotary of the district, together with a copy of the deed of accord, or of the decision of the arbitrators; and proceeding shall be taken for the ratification of such deed or decision, by following the same procedure and with the same effect, as in ordinary applications for ratification of title.

CHAPTER XVIII.

PROCEDURE.

238. Every contract or document to which the said town council shall be one of the contracting parties, shall be, unless otherwise provided for by resolution, passed and signed by the mayor, or in his absence by the pro-mayor and countersigned by the secretary-treasurer: and whenever it shall be necessary to serve on the mayor and town council any protest, proceeding, suit at law, rule of court, summons or any other proceeding whatever, in any suit or action at law, such service shall be made upon them at the office, of the secretary-treasurer.

CHAPTER XIX.

ROADS ON THE ICE.

239. The council shall be obliged to cause to be opened and maintained during winter a road on the

Division of
expenses.

river St. Lawrence, to communicate with the city of Montreal. The expenses of opening and maintaining such road shall be borne by the corporations of the city of Montreal, of the county of Chambly and of the town of Longueuil, in the following proportions, half of such expenses shall be paid by the city of Montreal, three-eighths of the said expenses shall be paid by the county of Chambly, and one-eighth of the said expenses shall be paid by the town of Longueuil, and the corporation of the town of Longueuil shall not be bound to contribute to the opening or maintenance of any winter road on the said river St. Lawrence, ending either in the municipality or of the parish of Longueuil or St. Lambert.

CHAPTER XX.

IMPOSITION AND COLLECTION OF TAXES.

When taxes to
be levied.

240. At the general session of the council, at which the general valuation roll of the town shall be finally revised, corrected and homologated, or at any general or special session of the council, which shall be held within the thirty days next after the session, at which such roll shall be homologated, the council shall determine by resolution :

1. The amount of the tax to be levied under section 129 to meet and pay the general expenses of the council, for the fiscal year commenced on the first of July immediately preceeding the final homologation of the valuation roll ;

2. That of the special tax provided for by section 174, to meet the interest and the sinking fund of the monies representing the cost of the water works of the town.

241. As to the other special taxes, which the town council has the right to impose, it may impose and appropriate the same at any time of the year.

Collection
rolls. Prepa-
ration of.

242. As soon as the general and special taxes of the town, of whatever kind they may be, shall have been imposed, the secretary-treasurer shall prepare the collection rolls, one of which shall be for the general taxes and the other for special water rates and the indemnity for supplying water ;

Arrears.

2. There shall be entered and mentioned in a column specially devoted to that purpose and designated under

the head of "arrears." in each collection roll for general taxes, all taxes and all the arrears of general taxes which according to the collection roll of the said taxes for the previous year, appear to be unpaid on or before the thirtieth of the month of June previous ;

3. He shall enter and mention in the same roll in a Sundry items- separate column under the head of "sundry items," all debts due by any person whomsoever for costs of maintaining sidewalks and streets, for weighing or for any other thing whatsoever ;

4. The secretary-treasurer shall enter and mention, in the collection roll for special taxes and indemnity for the supply of water in two columns, respectively headed Arrears of taxes and arrears of water-rates. "arrears of taxes" and "arrears of water-rates," all special taxes and arrears thereof, and all indemnity for water-rates and the arrears thereof, which shall appear by the collection roll for the special taxes, and water-rates for the supply of water to be unpaid on or before the thirtieth day of the month of June previous ;

5. The secretary-treasurer shall enter these various amounts opposite to the name of the person who shall owe them ; How entered in collection roll.

6. So soon as these various collection rolls shall have been completed, the secretary-treasurer shall proceed, without delay, to collect the general or special taxes, the water-rates or other claims whatsoever therein mentioned in the following manner : Collecting taxes.

7. He shall give a public notice in the manner required for the publication of by-laws, that the said collection rolls are completed and deposited in his office ; that a discount of five per cent will be allowed to any rate-payer, mentioned in the said rolls, who will pay his indebtedness, on or before the first day of the month of October then next, which discount shall be deducted from the various amounts, which such rate-payer shall pay within such delay, provided that such amounts only represent taxes or water rates, for the then current year ; the public notice shall moreover state that every person, mentioned in the said rolls, as being indebted for any taxes whatever, for water-rates and arrears, is required to pay the amount thereof to the secretary-treasurer, at his office, on or before the thirty-first day of the month of October then next, without further notice ; Notice required : what to contain.

8. If, after the said thirty-first day of the month of October, there remain unpaid any general or special taxes or special water taxes or compensation for water, the secretary-treasurer shall leave or cause to be left by his Notice to tax payer in arrear to be served upon him.

assistant, or by any sworn bailiff or police constable, at the usual place of residence or domicile of each party in arrear, or to each such party personally, a statement of the total amount of the general and special taxes, water-rates and arrears whatsoever due by such party in arrear, and at the same time by a special notice in the said statement, he shall demand payment of the various sums therein mentioned, with twenty five cents for costs of the service of such notice, which costs shall belong to the corporation ;

Cost of such notice and of service.

Warrant of distress if amount not then paid.

9. If any person refuses or neglects to pay the various sums mentioned in the statement accompanying such demand during the fifteen days after he shall have been requested so to do, the secretary-treasurer shall levy the said general or special taxes and arrears, the special taxes, water rates or arrears, with costs by a warrant under the hand of the mayor, or any councillor and the seal of the corporation, authorising the seizure and sale of the goods and chattels of the person bound to pay the same, wherever they may be found within the limits of the town, addressed to any one of the sworn bailiffs, in the district of Montreal, of the superior court for Lower Canada, or to any one of the constables of the police force of the town, who are respectively authorized to seize and sell the said goods and chattels, in the ordinary manner ;

Procedure with respect to collection of special taxes.

10. For the special taxes which the council may impose in any year, the council shall, by the by-law or by-laws imposing the same, determine the method of collection and fix the delays during which such collection shall be made ;

Chattels of absconding rate-payer in arrear may be seized.

11. In the event, at any time after the imposition of any of the general or special taxes or water rates of any tenant or occupant leaving the town without paying the taxes or water rates due by him the constables of the police force of the town, upon a written order from the mayor or the secretary-treasurer, under the seal of the corporation, shall be authorised to detain and seize the movable effects of such tenant or occupant, wherever they may be found within the limits of the town and to detain them until the said tenant or occupant shall have paid to the proper person the amount due by him for taxes or water rates as aforesaid, or until proceedings have been taken to have the said effects sold for the recovery of such taxes and water rates, in accordance with the provisions of this act.

Taxes upon immovables or moveables recoverable from either tenant or proprietor.

243. Every tax or assessment, imposed under this act upon any property or house in the town, shall be recovered either from the proprietor, tenant or occupant of such pro-

perty; but in case the tenant or occupant shall have been forced by the corporation to pay any tax or assessment for and on account of the proprietor, whose property he occupies, he shall have the right to retain the amount so paid by him, from and out of the rent which he may then or thereafter owe to such proprietor whose property he occupies. He shall, in any case, be subrogated in all rights of the corporation, against the proprietor for the recovery of the said taxes and assessments. The same subrogation, shall be acquired by any one who shall pay the taxes, assessments, water-rates or arrears on any property which may be advertised under the authority of this act, to be sold for the recovery of the sums aforesaid.

Proviso if
tenant pays
proprietor's
taxes.

CHAPTER XXI.

SALE OF PROPERTY.

244. In all cases where any person, having been rated in respect of any vacant ground or other real property in the said town, shall not reside within the town, or, in all cases where sufficient chattels shall not be found to be seized, for the payment of the taxes imposed upon any person, in the town in respect of any ground, building, or other immovable property belonging to such person or to pay the special taxes or water-rates or arrears due by him, if such person is proprietor, or if any such taxes or water-rates remain unpaid for six months, after the notice of the deposit of the collection rolls of the town shall have been given, then and in such case, it shall be lawful for the council, on report made to that effect by the secretary-treasurer, to authorize the secretary-treasurer to sell or cause to be sold by public auction, at the office of the council, in the manner hereinafter prescribed, the real property, or any of such real property which the council shall designate by a resolution, so indebted for general taxes or for special taxes or water-rates.

Sale of property for taxes in certain cases.

245. The secretary-treasurer shall prepare a list, containing a sufficient designation in virtue of article 2168 of the civil code, of such real estate, and he shall, within fifteen days from the date of such order, give a public notice in the manner prescribed for the publication of by-laws, of the day, hour and place in which such sale shall be held, and such notice, as well as the copies thereof which shall be posted, shall be respectively accompanied by a copy of the list the real estate to be so sold, as well as the amount of taxes and costs due on each property respectively; and a

List of property to be sold for taxes to be prepared.

similar notice and the list accompanying the same shall be published twice in French and in English in the "Quebec Official Gazette" in the month of February preceding such sale.

Notice of sale to proprietors.

2. The secretary-treasurer shall also give special notice to each person whose property is to be sold.

Proceedings at sale.

3. At the time indicated for the sale, the secretary-treasurer or any other person acting in his name shall sell to the highest and last bidder the lots described in the list on which taxes still remain due, after having made known the amount to be levied on each, including the costs incurred for such sale.

4. Whosoever shall then offer to pay the highest price and shall be the last bidder shall become the purchaser of the lot so sold by auction and such lot shall be at once adjudged to him by the secretary-treasurer or any other person who may have sold the same.

Payment of purchase price.

The purchaser of the lots so sold shall pay the amount of the price of sale immediately after the adjudication.

Proceedings in default of payment.

In default of immediate payment, the secretary-treasurer shall either at once put up the lots again for sale or shall adjourn the sale for eight days, giving notice of such adjournment to all persons present, in a loud and intelligible voice, and he shall also give a public notice of such adjournment in the manner required for the publication of by-laws.

Adjournment of sale.

5. If at the date of such sale, no bid is made, or if all the lots advertised cannot be sold, the sale shall be adjourned for eight days, and notice of such adjournment shall be given in the manner prescribed. The owner or any person whether authorized by him or not, may stop the sale by paying into the hands of the secretary-treasurer the amount to be levied, together with the costs, and the purchaser may stop the sale, by paying into the hands of the secretary-treasurer before the time fixed for the sale, the amount of the purchase money and all the additional costs incurred on account of the adjournment of the sale.

Rights of purchaser.

6. On payment by the purchaser of the amount of his purchase, he is seized of the ownership of the lot adjudicated, and he may take possession thereof, subject to the redemption which may be effected within the two years following the date of the adjudication. Nevertheless he can not cut any tree, nor make any changes that would deteriorate the property, within the two years following the day of the adjudication.

7. All owners of real estate so sold or any person, authorized or not by them, may redeem them but only in the name and for the benefit of the person who was the owner thereof when such property was adjudged, and this within two years from the date of such sale, by paying to the purchaser the whole amount of the purchase money, and the costs and necessary expenses incurred in connection with such real estate to preserve it in the same state and condition in which it was when it was sold, together with legal interest thereon.

8. If after such sale there remains a surplus over and above the sum due for assessments and costs on any property, such surplus shall be deposited by the secretary-treasurer in the treasury of the town to be afterwards paid over with interest on demand after its redemption, if the right of redemption is exercised, or at the expiration of the two years following the date of the sale, if the right of redemption is not exercised; except that when the property has not been redeemed and claims have been filed in the office of the council, in such cases the secretary-treasurer shall forward such claims to the superior court in the district of Montreal, together with a copy of the notice of sale, of the list of the real estate, the sale whereof has been ordered, and a certificate giving the description of the property to which such claims relate, the price, a statement of the amount due to the corporation and paid out of such price and the amount deposited as well as the interest accrued, and such surplus and interest shall be paid to whomsoever it may be ordered by a report of distribution made and homologated as in ordinary cases. Interest shall cease to run on the surplus from the time at which the claims are forwarded to the court.

9. If during the space of two years from the date of adjudication, the property adjudicated has not been redeemed, the purchaser shall remain the irrevocable owner thereof, and upon payment of all municipal taxes which have become due and payable in the interval on such property, such purchaser, at the expiration of the two years, shall be entitled to a deed of sale of such property from the corporation.

10. The deed of sale shall be executed in the name of the corporation and be signed by the mayor and secretary-treasurer, and sealed with the common seal of the town, and the cost of such deed, as well as the cost of the enregistration thereof, shall be paid by the purchaser to the secretary-treasurer before the passing and registration of such deed of sale.

Deed to be en-
registered by
secretary-
treasurer.
Effect of sale.

The secretary-treasurer shall cause such deed of sale to be enregistered.

11. The sale shall have the same effect as a sale by the sheriff.

Corporation
may bid.

246. The corporation of the town of Longueuil may bid at the sale of such immovables and may become the purchaser thereof, through the mayor or other person authorized by the council, without being held to pay in forthwith the amount of the purchase money.

List of lands
sold to be pre-
pare and
special notice
to be given to
proprietors.

247. A list of lands sold, setting forth the name and residence of the purchaser and the price of the sale, shall be made by the secretary-treasurer within a delay of fifteen days next after the adjudication; and the secretary-treasurer shall without delay give special notice to the proprietors or occupants of such lands, of the sale thereof.

Prescription of
suit to annul
sale.

248. The action to annul a sale of land, made in virtue of the provisions of this chapter, or the right of calling in question the lawfulness thereof, is prescribed by three years from the date of such adjudication.

Proviso: if
land to be also
sold by sheriff.

249. If any land described in the list, published under the provisions of this act, is advertised to be sold by the sheriff, the secretary-treasurer shall not sell such land, but shall, without delay, transmit to the sheriff a statement of the sums due for taxes and cost of advertising on account of such land.

Proviso: if
sheriff's sale
discontinued.

250. Nevertheless if on the day fixed for the sale, the proceedings of the sheriff on the sale have been discontinued, the secretary-treasurer may sell the land in the usual manner.

Collection of
school rates.

251. The secretary-treasurer of the school municipality of the town of Longueuil, in order to collect the arrears which shall be due to this municipality by the rate-payers, shall transmit to the secretary treasurer of the town, the list of the property on which arrears of school taxes are due, and the said secretary-treasurer of the town, shall proceed to the sale of such property in the manner set forth in this chapter, and such sale shall have the same effect as if these properties had been sold for municipal taxes.

PREScription OF AND INTEREST UPON TAXES.

Debts for
taxes, &c., due
to corporation.

252. All municipal taxes, assessments or special taxes for water, water-rates, for all purposes whatsoever, shall be prescribed by five years.

253. All municipal taxes and other municipal dues and all special taxes for water or water rates shall bear interest from the first day of November in each year; nevertheless, special taxes which can only be imposed under a by-law to that effect, shall only bear interest from and after the day specified for that purpose in such by-law.

Interest on arrears.

Proviso as to special taxes.

CHAPTER XXIII.

EXECUTION OF JUDGMENTS.

254. The first title of the third book of the Municipal Code of this Province shall, *mutatis mutandis*, apply to the corporation of the town of Longueuil.

First title of third book Municipal Code to apply.

INTERPRETATION CLAUSES.

255. Whenever, by the provisions of this act or of any municipal by-laws to be made, a day is fixed for the holding of any session whatever, of the said council, or for the accomplishment of any duty or formality, either by the council itself, by any of its members or officers, or by any rate payer of the town, if the day so fixed be a non-juridical day, the holding of such session shall take place, and the accomplishment of such duty or formality shall be fulfilled on the first juridical day next thereafter;

When day fixed for sitting is a non-juridical day.

2. Whenever, by the provisions of this act or of any by-law, a delay is granted either for the examination of any electoral list, for the payment of municipal taxes or other assessments, for the preparation by the secretary-treasurer of any electoral list, or for the accomplishment of any other duty by the said officer, or by any member or any other officer of the said council, or for any other purpose whatsoever, if the last day of such delay be a holiday, such delay shall, in that case, be extended to the end of the next following juridical day;

Other case.

3. The intermediate delay, after a special or a public notice, shall run from the day the same shall have been served or posted up, such day not included;

Intermediate delay.

4. The words "time of the elections" shall designate and mean all the time which shall elapse from the day upon which public notices, announcing the elections of a mayor or of municipal councillors shall be posted up, till the day following the nomination, and subsequently till the day following the polling day, in cases one or more polls shall have been held.

Time of the elections.

Financial year. 5. The term "financial year" shall designate the period of time included between the first of July of one year, that day included therein, and the first day of the month of July in the following year, that last day not included.

40 Vic., c. 29, not to apply. **256.** The town corporations general clauses act, 40 Victoria, chapter 29, shall not apply to the town of Longueuil.

Act in force. **257.** This act shall come into force on the day of its sanction.

C A P. L X X V I.

An Act to confer certain powers on the Bell Telephone Company of Canada.

[Assented to 30th June, 1881.]

Preamble. **W**HEREAS the Bell Telephone Company of Canada has, by its petition, represented that it was incorporated by an act of the Parliament of Canada, passed in the 43rd year of Her Majesty's Reign, Chapter 67, and certain powers were conferred on the said corporation by the said Act, and that doubts exist as to the power of the Parliament of Canada to confer such powers, and has prayed that the said powers be conferred on it by the Legislature of this Province, and whereas it is desirable 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 :

Company recognized. **1.** The Company, incorporated by chapter 61, of the Statutes of Canada, passed in the forty third year of Her Majesty's reign, known by the name of "the Bell Telephone Company of Canada," is recognized as a corporation with all the rights powers and privileges incidental to corporations by the laws of this Province with its chief office at Montreal.

Company authorized to erect lines along street, &c. **2.** The Bell Telephone Company of Canada may construct, erect and maintain its line or lines of telephone along the sides of and across or under any public highways, streets, bridges, water-courses or other such places, provided the said company shall not interfere with the public right of travelling on or using such highways, streets, bridges or water-courses, and without doing any unnecessary damage nor preventing free access to any building erected in the vicinity ; and provided that in cities, towns and incorporated villages, the company

Proviso.

Proviso.