

upon payment of the said fine and costs at any time before the expiration of the said period.

II. This act shall come into force on the day of its ^{Act in force.} sanction.

CAP. LXII.

An Act to amend and consolidate the Act of incorporation of the town of St. Johns and the several acts amending the same.

[Assented to 24th July, 1880.]

WHEREAS, the provisions of the Act intituled : “ An ^{Preamble.} Act to make more ample provisions for the incorporation of the town of Saint Johns,” (22 Victoria, chapter 106); and whereas all subsequent acts amending or repealing some of the provisions of the said act, to wit : the act 31 ^{31 V., c. 49,} Victoria, chapter 49,—the act 37 ^{37 V., c. 45,} Victoria, chapter 45, and the act 39 ^{39 V., c. 48.} Victoria, chapter 48, of the Legislature of Quebec, do not meet the present requirements of the town of St. Johns, and it has become necessary to make more ample provisions for the government and proper administration of the same; Therefore Her Majesty, by and with the advice and consent of the, Legislature of Quebec, enacts as follows:

1. The several acts, mentioned in the above-recited ^{Said acts} preamble, are hereby repealed and replaced by ^{repealed.} the present act.

NAME OF THE CORPORATION.

2. The inhabitants of the town of St. Johns, as hereinafter ^{Town of St. Johns incor-} bounded and described, and their successors, shall be, and are hereby declared to be a body corporate and politic by the name of: “ The Corporation of the town of St. Johns,” and by that name, they and their successors shall have perpetual succession, and shall have power to sue and be sued, to implead and be, impleaded in all courts, and in all actions, causes and suits at law whatsoever, and shall have a common seal, with power to alter and modify the same at pleasure, and shall be in law, capable of receiving by donation, acquiring, holding and transferring and alienating any property, moveable or immoveable, for the use of the said town, of becoming parties to any contract or agreement in the management of the affairs of the said town; and they shall, moreover, have ^{Corporate name and powers.}

all the other collective rights which are necessary for the fulfilment of the duties imposed on them.

Council of the town.

3. The corporation of the town of St. Johns shall be represented by a council composed in the manner specially prescribed in the present act, and all the rights and powers of the said corporation shall be exercised, and the duties and obligations thereof shall be fulfilled by such council and its officers :

Name of Council.

The said council shall be called : " The Council of the town of St. Johns."

LIMITS OF THE TOWN.

Boundaries of the town.

4. The town of St. Johns, situate in the county of St. Johns, in the district of Iberville, in the Province of Quebec, shall be bounded on the east by an imaginary line passing through the middle of the Richelieu River, on the north by the south line of the land of Samuel Vaughan, Esq., extending to the east as far as the above mentioned line of the centre of the Richelieu River, on the south by the north line of the land owned by the representatives of the late François Xavier Langelier, representing Nelson Mott, extending to the centre of the Richelieu River as aforesaid, on the west by the eastern limits of the lots of the second concession.

Division into wards.

5. The town of St. Johns shall be divided into four wards, which shall respectively be known and designated under the names of: "East Ward," "West Ward," "Centre Ward," and "North Ward," and shall be bounded as follows :

Names of wards.

East ward.

The " East Ward," shall be bounded on the east and south by the limits of the town, on the west by a line passing through the centre of Grant street, from the southern limits of the town to the centre of St. James street, and thence, towards the north by the centre of the said St. James street, to the eastern limits of the town ;

West ward.

The " West Ward " shall be bounded on the east by the " East Ward," on the south and west, by the limits of the town, on the north by the centre of the said St. James street, from the western limit to the centre of Grant street ;

Centre ward.

The " Centre Ward " shall be bounded on the south by the east and west wards as above-constituted, on the east and west by the limits of the town, and on the north by a line passing through the centre of St. Thomas street and extending to the east and west, to the limits of the town ;

North ward.

The " North Ward " shall include all that portion of the town, north of the centre ward.

ANNEXATION OF TERRITORY.

6. Any proprietor of land, adjacent to the territory of the town of St. Johns, may have such land included within the boundaries and limits of the said town, and form part of the municipality of the latter, provided that the council of the said town and the municipality of the parish, within the limits of which the land in question is situated, consent thereto. Annexation of territory.

Such annexation shall be effected by means of a resolution of the council of the town of St. Johns, passed after the filing of the resolution of such parish, authorizing such annexation; and such land so annexed shall form part of the municipality of St. Johns for all purposes whatsoever, from and after the first day of January, following the publication of such resolution of the said town council in one or more newspapers published in the said town. How effected.

TOWN COUNCIL.

7. The mayor and councillors of the said town, who are now in office, shall remain and are hereby continued in their respective offices, during the whole term for which they were elected; and the officers, appointed by the said council, shall remain and are hereby continued in their respective offices, until duly removed therefrom by the council or the expiration of their functions; and all by-laws, ordinances, agreements, stipulations and engagements whatsoever, passed and consented by the said council or the present mayor, or their predecessors in office, shall have and continue to have full and entire effect, until such by laws, agreements and engagements shall be duly rescinded and abolished. Mayor, &c., now in office. By-laws, &c., to remain in force, &c.

ELECTIONS.

8. There shall be elected, in the manner hereinafter mentioned, a fit and proper person who shall be and be called: "the mayor of the town of St. Johns," and three fit persons, who shall be councillors for each of the wards of the said town; and such mayor and councillors so elected, for the time being, shall form the council mentioned in section 3. Mayor and Councillors to be elected.

MAYOR AND COUNCILLORS.

9. No person shall be capable of being elected mayor of the town of St. Johns, unless he shall have been a resident house-holder within the said town for the year immediately Qualification of mayor.

preceding such election, nor unless he be possessed, as owner or usufructuary, either in his own name or that of his wife or minor children, of real estate, within the said town, of the value of one thousand dollars, after deducting all hypothecary debts.

Qualification
of Councillors.

10. No person shall be capable of being elected a councillor of the said town, unless he shall have been a resident of the said town for the year immediately preceding such election, nor unless he be possessed, as owner or usufructuary, either in his own name or in that of his wife or minor children, of real estate, within the said town, of the value of four hundred dollars, after deducting all hypothecary debts.

DISABILITIES.

Councillor
must reside in
ward.

11. No person shall be capable of being elected councillor for a ward unless he resides in such ward.

Who may not
be mayor or
councillor.

12. No person shall be capable of being elected mayor or councillor of the said town of St. Johns, unless he be a natural born or naturalized subject of Her Britannic Majesty, and of the full age of twenty-one years; and no person being in holy orders, nor the ministers of any religious belief whatever, nor the members of the executive council, nor judges, sheriffs, or clerks of any court of justice, or their deputies, nor officers on full pay in Her Majesty's army and navy, nor salaried civil functionaries, nor any person accountable for the revenues of the said town, nor the servants or employees of the said town receiving a monthly or annual salary, officer or person presiding at the election of the mayor or the councillors, while so employed, nor any person who shall have been convicted of treason or felony in any court of law, within any of Her Majesty's dominions, nor any person having directly or indirectly, in person or through his partner, any contract whatever, or interest in any contract with or for the said town, shall be capable of being elected mayor or councillor for the said town; provided always that no person shall be held incapable of acting as mayor or councillor for the said town, from the fact of his being a shareholder in any incorporated company, which may have a contract or agreement with the said town.

Provide :

Persons be-
coming insol-
vent, &c., while
mayor or
councillor.

13. Every person who, while filling the office of mayor or councillor of the said town, shall be declared to be in bankruptcy or shall become insolvent, or who shall make application in order to obtain the benefit of any law, passed

for the purpose of assisting or protecting insolvent debtors, without preserving the aforesaid qualifications, or who shall cease to possess real estate to the amount necessary to qualify him, or who shall enter in holy orders or become a minister of any religious belief, or who shall be appointed a judge or a member of either the Federal or Provincial Executive Councils or who shall become accountable for the revenues of the town, in whole or in part, or who shall become a servant or salaried officer of the town of St. Johns, shall *ipso facto* be disqualified and his seat in the council shall become vacant, and such vacancy shall be filled in accordance with the provisions of the present act, relating to municipal elections.

EXEMPTIONS.

14. The following persons shall not be obliged to accept the office of mayor or councillor of the said town, nor any other municipal office:—members of the provincial or federal legislatures, practising physicians, surgeons and apothecaries, schoolmasters actually engaged in teaching, persons over sixty years.

The persons who shall have filled any office under such council, or paid the penalty incurred for refusal to accept such office, shall be exempt from serving the same office, during three years next after such service or payment.

ELECTORS.

15. The persons entitled to vote at the municipal elections of the said town, shall be :—the male inhabitants, freeholders and householders, of the age of twenty-one years, and borne on the valuation roll, and residing therein, and possessed, at the time, of real property in the said town, of the assessed value of one hundred dollars; and also tenants of the age of twenty-one years, who shall have resided in the said town, and paid rent during the six months immediately preceding the election, and who shall have been borne on the valuation roll for a sum of not less than eighteen dollars per annum, for a dwelling house or part of a dwelling house, or place of business, shop or store; also persons borne on the valuation roll who shall have resided in the said town, during the six months immediately preceding such election, being of the age of twenty-one years, who occupy a lot of ground in the said town, or shall have built a house the annual value of which is eighteen dollars currency; provided always, that no person, qualified to vote at any municipal election, shall have the right of having his vote registered, unless he

Who shall not be bound to accept the said offices.

Who may vote at elections.

Proviso : voter to have paid his taxes.

shall have paid his municipal and school taxes then due, on or before the nomination day.

Receipt may
be demanded.

And it shall be lawful for any municipal elector to require the production of the receipts from the secretary-treasurer of the said town, establishing the payment of such assessments so due as aforesaid; and in any case where the said elector has lost his receipt, he shall then produce a certificate, which the secretary-treasurer shall give him to enable him to vote, establishing the payment of such taxes within the above mentioned delay, and in default of his producing such certificate, the said elector shall not be able to vote at such election.

Elector may
vote for mayor
and all coun-
cillors, to be
elected.

16. Every elector, duly qualified to vote at the municipal elections of the town, may vote for the mayor and for as many councillors as are to be elected.

Place of
holding elec-
tions.

17. The municipal elections of the town of St. Johns will be held at the Town Hall.

MEETING OF THE ELECTORS.

Nominations,
when to take
place.

18. The nomination for municipal elections, in the town of St. Johns, shall take place in the month of February, in each year, on the day and at the hour fixed by a resolution of the town council.

Voting when to
take place.

The voting shall take place on the eighth day after the nomination of the candidates, or the first juridical day following, if such eighth day is a non-juridical day.

If one candi-
date for mayor,
duty of pre-
siding officer.

If, at the nomination, there be but one candidate for the office of mayor, the officer presiding at such election shall at once, declare such candidate elected mayor of the town of St. Johns.

If one candi-
date for coun-
cillor, duty of
presiding offi-
cer.

If, at the nomination for the office of councillor, there be but one candidate to represent a ward, the officer presiding at such election shall at once declare such candidate duly elected councillor for such ward.

Notice of
elections, to be
given and
how.

Notice of the municipal elections of the town of St. Johns, shall, be given during the eight days preceding the nomination, by means of a public notice posted up in the office of the secretary-treasurer, or in the public square, or published in a French and in an English newspaper, or in both at one and the same time, in circulation in the town of St. Johns.

By whom sign-
ed.

Such notice shall be signed by the mayor and the secretary-treasurer, and shall specify the day and the hour at which such elections shall take place.

How mayor, to
be elected.

19. The Mayor of the town of St. Johns, shall be elected by the majority of the registered votes of the electors of the

said town, qualified to vote. He shall retain the exercise of all his powers as mayor, until the first meeting of the council following the election which shall be held to replace him.

He shall, *ex-officio*, be a justice of the peace for the district of Iberville.

Duration of
powers.

Mayor *ex-officio*
justice of the
peace.

20. The mayor shall remain in office for one year.

Duration of
office of mayor.

21. The mayor of the Town of St Johns, shall have the right of superintendence and control over all the officers appointed by the council, and shall see to the carrying out of the orders and by-laws of the said council.

Powers of
mayor.

22. The Town Council shall, at least fifteen days before the nomination, appoint two of its members, who shall not go out of office, to preside at the annual elections, one of whom shall be appointed to preside at the election and the other to be his deputy. And in case of the presiding officer so appointed, being unable or refusing to act, the deputy shall, *ipso facto*, replace such presiding officer.

Town council
to appoint two
of its members,
to preside at
elections.

23. If, at the nomination, several persons are nominated for the office of mayor or councillor, the officer presiding at the election shall grant a poll for the registration of votes in favor of the candidates nominated, and the poll may last two days.

If several can-
didates are
nominated.

Duty of pre-
siding officer.

24. The poll shall be opened for the registration of votes, on the first day, from nine of the clock in the forenoon, until five of the clock in the afternoon, and if the votes of all the electors present have not been polled by the hour of five in the afternoon of the first day of voting, the presiding officer shall adjourn to the hour of nine in the forenoon of the next following juridical day, when he shall continue to take down the votes, and he shall be bound to close the election at the hour of four in the afternoon of the said second day, (whether there be more votes to be polled or not,) and then to declare duly elected councillors and mayor, such of the candidates as shall have obtained the majority of the votes.

Poll, to be
opened and
how voting to
be continued.

If, at any time after the votes have commenced to be polled, either on the first or on the second day of the said election, one hour elapses, without any vote being polled, it shall be the duty of the person presiding, after the expiration of the said hour, to close the said election and declare duly elected, as councillors, and mayor, such candidates as have obtained the majority of the votes; provided that no person shall have been, within the last

Poll, to be
closed if no
vote be given
for one hour.

Proviso :

hour, prevented from approaching the poll by violence, of which violence, notice shall have been given to the person presiding.

If all voters have voted on first day, duty of presiding officer at closing poll.

And if, at the close of the poll on the first day, the votes of all the electors present at the place of voting have been taken, the officer, presiding at the election, shall declare duly elected, the candidate or candidates who shall have polled the majority of the votes.

Casting vote in case of tie.

25. In case the candidates for the office of mayor or councillor have an equal number of votes, the presiding officer shall give his casting vote in favor of one of the candidates.

Oath of presiding officer.

The presiding officer shall, before acting as such, take the following oath before a justice of the peace :

"I do solemnly swear that I will, to the best of my judgment and ability, faithfully and impartially perform the duties of presiding officer at the election, which I am about to hold, of a person or persons to serve as members of the council of the town of St. Johns: So help me God."

To be in writing.

Such oath shall be taken in writing, and the presiding officer shall annex to it his election return.

Presiding officer, guardian of the peace.

26. The presiding officer shall be a guardian of the peace during such election, and he shall, for that purpose, have all the powers of a Justice of the Peace ;

Powers at election :

He may, moreover, for the preservation of the peace and maintenance of order, and to assure complete liberty to the electors who wish to vote at such election :

Swear in constables ;

1. Swear in as many special constables as he may think proper ;

Require assistance of justices, &c. ;

2. Require, by verbal or written order, the assistance of any Justice of the peace, constable, or any other person residing in the said town of St. John's ;

Commit on view ;

3. Commit, on view, to the custody of a constable, or any other person, for forty-eight hours, or less, any person breaking the peace, or disturbing order, or preventing any elector by threats, violence or otherwise, from freely giving his vote ;

Imprison any delinquent.

4. Cause to be imprisoned, by a written order under his signature, such delinquent in the common gaol of the district of Iberville, for a period not exceeding ten days.

May examine on oath or affirmation any person tendering his vote.

27. The presiding officer may, of his own accord, or when thereunto required by an elector duly qualified to vote at such election, examine under oath (*or affirmation, when the same is permitted by law.*) any person tendering his vote at any election, respecting his qualification and his

right to vote at such election. and the oath to be administered, shall be as follows :

" You swear true answers to make to all questions Form of oath,
which I shall put to you, respecting your qualification,
your right to vote and the manner in which you are
qualified to vote at this election : So help you God."

And the presiding officer shall himself put such ques- Questions to be
tions as he may deem necessary, or as the candidates or put to voter.
electors present may desire him to put and which he shall
consider pertinent, respecting such elector's qualification
or right to vote.

28. If an elector refuses to take the oath or to reply to Voter refusing
the questions put to him as aforesaid, his vote shall be to be sworn.
refused.

29. If an elector take the required oath, or if he refuses Note to be
so to do, or if objection is taken to his vote, all such facts made in poll-
shall be mentioned in the poll-book in the following words : book.
" sworn," " refused," " objected to."

30. If an elector admits, under oath or affirmation, that Duty of pre-
he has received any consideration whatever to induce him siding officer
to give his vote in favor of any candidate, the presiding if elector
officer shall refuse the vote of such elector, and shall note admits receiv-
such refusal in the poll-book. ing consid-
eration.

31. The expenses of the municipal elections shall be Expenses of
paid out of the funds of the corporation. elections.

32. All persons who shall be elected at the annual Duration of
municipal elections, as councillors for the said town, shall, office of coun-
in all cases, be elected for three years. cillors.

33. There shall be three councillors for each ward, and Number of
no councillor shall represent more than one ward at a such coun-
time. cillors.

Nevertheless a councillor shall, during the continuance Councillor
of his office, be eligible as mayor ; and in such case, his elected as
office as councillor shall become vacant, and the town mayor.
council shall provide for the replacing of such councillor, Replacing
in accordance with the provisions of the present act relat- such coun-
ing to municipal elections. cillor.

34. The presiding officer shall be bound, within two Duty of pre-
days from the close of the election, to give to the mayor siding officer
and to each of the councillors so elected, special notice of after closing
his election, as also of the place, date and hour which he poll.
shall have fixed for the first meeting of the council to be
held after their election.

Mayor and
councillors to
enter office at
first meeting.

The mayor and councillors, so elected, shall respectively enter into office as such, at the said first meeting, and shall remain in office, until the first sitting of the council, which shall take place after the election of their successors.

Presiding
officer to de-
liver poll-book
to the sec.-
treas.

35. The presiding officer shall at once, deliver to the secretary-treasurer of the town council, if there be any such officer, and if not, so soon as such officer shall have been appointed, the poll books of such election, and all other papers and documents relating to such election, certified by him, to form part of the records of the said council and copies of the same, certified by the secretary-treasurer, shall be authentic before any court of justice.

Copies certifi-
ed by sec.
treas. au-
thentic.

CONTESTED ELECTIONS.

Contested elec-
tion heard be-
fore what
court.

36. If the election of the mayor, or of a councillor, or of several councillors, or of all the councillors is contested, the decision on such contestation shall rest with the Circuit Court, for the district of Iberville.

Who may con-
test election of
mayor.
The same of
councillor.

37. The election of the mayor may be contested by the candidates or by at least ten electors.

The election of the councillors of a ward may be contested by the candidates, or by at least ten electors of such ward.

How contesta-
tion shall be
brought.

38. Such contestation shall be brought before the court, by a petition signed by the petitioners or by their advocate or attorney, setting forth in a clear manner the grounds of such contestation.

Notice of peti-
tion, to be
served and
within what
delay.

39. A true copy of the petition, with a notice stating when it shall be presented to the said court, shall be previously duly served upon the mayor or councillor or councillors, whose election is so contested, at least eight days before such petition shall be presented to the said Court; and a return of such service shall be drawn up and signed in due form upon the original of such petition, by the bailiff who shall have made such service; but no such petition shall be received after the term next following the election thereby contested, unless such election took place within the fifteen days next preceding the first day of such term, and in such case, the said petition may be presented on the first day of the next term, but not later, nor shall any such petition be received, unless security for costs be given by the petitioners, in presence of a judge of the Superior or Circuit Court, or of the Clerk of the Circuit Court for the District of Iberville or his deputy.

When petition
may be pre-
sented.

Security for
costs,
to be given.

40. If the court be of opinion that the 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.

Proceedings on petition are summary.

The court shall proceed, in a summary manner, to hear and decide the said contestation, and the evidence may be taken down in writing or given orally, in whole or in part, as the court shall order; and if the trial of such contestation be not concluded at the close of the term of the court, during which it was commenced, the judge shall continue the same in vacation, and shall adjourn, from day to day, until he shall have pronounced his final judgment upon the merits of such contestation; and any such judgment so pronounced, and all the proceedings had in any such case in vacation, shall have the same effect as if the same had been pronounced or had in term.

Evidence.

41. The court 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.

What may be declared by judgment.

And may, in either case, condemn either of the parties to such contestation, to pay the costs thereof; which costs shall be taxed and recovered in the same manner and by the same means as the costs of first-class appealable cases, brought before the circuit court; and the court may order its judgment to be served upon the secretary-treasurer of the council, at the expense of the party condemned to the payment of costs, as aforesaid; but the mayor or councillor whose election is contested shall remain in office and shall have full power to act, until his election shall have been voided and until the term for which he was elected shall have expired.

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

With respect to defect or irregularities.

FAILURE TO HOLD AN ELECTION.

43. And in case it shall happen that, an annual municipal election shall not be held for any reason whatever, on the day when, in pursuance of this act, it ought to have been held, the said town council shall not, for that cause, be deemed to be dissolved and it shall be the duty of the members of such council to meet again for the purpose of

In case any annual municipal election shall not be held.

fixing, as early as possible, a day for the holding of such annual municipal election; and in such case, the notices and publications required by this act, shall be published and posted up, for at least eight clear days before the election, and if within fifteen days after the day on which the election should have been held, the members of the said council have not fixed a day for such election, they shall be liable to a fine of twenty dollars each, and such election shall then be held by the registrar, who shall proceed, without delay, to hold and preside at such election, in pursuance of the present act, and, for such purpose, he shall have all the powers granted by this act to the officer presiding at an election.

MEETINGS OF THE COUNCIL.

First meeting
of the council
after election.

44. The first meeting of the council, after the municipal elections, shall be held within the eight days immediately following such election, but, before sitting as such, and at such meeting, the mayor and councillors elected shall take, before a justice of the peace, the following oath:

Oath of mem-
bers of council.

"I, A. B., solemnly swear that I will faithfully fulfil the duties of member of the town council of St. Johns, to the best of my judgment and ability: So help me God."

Members pre-
sent to act as
council.

Members
absent deemed
to have refused
office.

And the members then present, provided they form a majority of the council, shall be competent to act as such council, and members who are absent without any legitimate cause, shall be considered as having refused the office and shall be liable to the fine hereinafter provided for such cases, unless such persons be exempt from serving.

Quorum.

45. Seven members of the council shall form a quorum thereof.

Duration of
term of office of
member elect-
ed to replace
another.

46. Every mayor or councillor, elected in the place of another who shall have ceased to act as such, before the expiration of the term for which he has been elected, shall remain in office for the remainder of the term for which his predecessor was appointed or elected, and no longer.

Time and
place of meet-
ing of council.

47. The town council shall meet, at least once a month, for the transaction of the affairs of the said town, and shall hold its sittings, in the town hall, or in any other place in the said town which may, from time to time, temporarily or permanently, be fixed; provided always, that one or more members, who may not be sufficient in number to form a quorum, may adjourn any meeting of the council which did not take place for want of a quorum,

Proviso.

Adjournment
and penalty
for absence.

and the members, although not forming a quorum, are hereby authorized to compel absent members to assist at the regular, special or adjourned meetings as aforesaid, and, in case of repeated absence to impose on such members such fine or penalty as the town council might in such cases have imposed.

48. The mayor of the said town may, whenever he deems it advisable or necessary, call special meetings of the said council, and whenever two members desire a special meeting, they shall apply to the mayor to have it called, and if the mayor be absent or refuse to act, they may give an order, in writing, to the secretary-treasurer, to call such special meeting within the shortest possible delay. Mayor may call special meeting. And in case of absence and refusal.

And the secretary shall at once give notice in writing, to the mayor and councillors that, in consequence of such order, they are to meet at the hour and on the day specified in the notice, at the place where the sittings of the council are usually held. Secretary to give notice.

Such notice shall be left at the residence of the mayor and councillors at least twenty-four hours before such meeting. When.

And when a special meeting of the council shall be called by the mayor, notice thereof shall be given to the councillors, at least twenty-four hours before such meeting. Notice of meeting called by mayor.

PRO-MAYOR.

49. The council shall appoint, from time to time, one of the councillors as a pro-mayor, who shall take the place of the mayor in case of his absence, and shall be invested with all his powers during the whole period of the duration of his office, which shall be three months. Pro-mayor.

GOOD ORDER DURING THE SITTINGS.

50. The town council shall have power to pass resolutions, requiring its president to censure any councillor who may be guilty of serious disturbance or violence during its sittings, either by action or by word. And the president shall govern the proceedings and shall maintain order and the observance of the by-laws, and in case of refusal by a councillor to comply with the orders of the said president, the latter may order any bailiff, constable or other person, residing in the said town of St. Johns, by a verbal or written order, to remove such delinquent councillor from the place where the meeting is being held; Provided that, upon a motion to that effect, it be resolved by at least Power to censure councillors. And to remove offending member. Proviso.

three-fourths of the members present, that the president shall exercise his authority in the matter; every motion to that effect, shall be considered in order, and shall be moved and decided without debate.

Meeting to be public.

51. All meetings of the said town council shall be public, excepting only, when the said council shall enquire into the conduct of any of its members for any cause whatsoever, in which case it shall be lawful for the said council, to sit with closed doors; and the said council shall determine the mode of their proceedings, and shall have power to cause order to be observed by persons present during their sittings, and to punish by fine or imprisonment, in default of payment of the fine, any act of contempt, committed by any such persons present; provided always that no such fine shall exceed the sum of twenty dollars and that no such imprisonment exceed the period of fifteen days.

Certain other powers of council.

Contempts. Proviso.

Duties of sheriff and gaolor.

52. The sheriff and gaolor of the district of Iberville shall be bound, and they are hereby ordered and required to receive and safely keep, until duly discharged, all persons committed to their charge by the said town council, or any member or officer thereof, under the authority thereof.

Mayor to preside at Council meeting and to have a casting vote, but neither he nor the councillors to have any pay.

53. The mayor of the said town of St. Johns shall, if he be present, preside at the meetings of the council, shall maintain order thereat, and shall have a right to express his opinion, but not to vote, on all questions which shall be brought before the said council; provided always, that when the said councillors, after having voted on any question, shall be found to be equally divided, then, and in that case only, the mayor shall decide the question by his vote, giving his reasons for it, if he thinks proper; and neither the mayor nor the councillors shall receive any salary or emoluments from the funds of the town, during the time they shall remain in office; provided also, that whenever the mayor, or in his absence, the pro-mayor, shall not be present at any regular or special meeting of the said town council, the councillors present shall choose one of their number to fill the place of the mayor during the sitting.

Proviso.

Powers of special and adjourned meetings.

54. At all special or adjourned meetings, the council, when duly convened, may occupy itself with all matters which generally are within the jurisdiction of the said council and shall have the same powers as if in general meeting, assembled.

COMMITTEES.

55. It shall be lawful for the said council to appoint, from amongst its members, standing committees on the following subjects: finances, markets, roads, water, fire, police, public health, and all other committees necessary for the proper government of the town and to determine the powers and duties of each of such committees. Council may appoint standing committees.

56. The council may appoint committees, composed of as many of its members as it may deem advisable, to whom it shall delegate its powers for the examination of any question, the management of a special matter or of a particular kind of business or for the performance of certain duties, and shall appoint, at the same time, such of the members of each of those committees as shall be the chairman thereof. Council may appoint select committees.

57. Select Committees shall, whenever required so to do, send in reports of their operations and of their decisions by reports signed by the majority of the members composing the same or by the chairman, and no report or order of a committee shall have any effect until it shall have been adopted by the council. Select committees, to report.

58. The Chairman of each committee shall, with respect to any meeting of such committee, have the same power as the mayor. He shall call the meetings of the committee, and a written notice thereof shall be given at the residence of each member at least four hours before the time fixed for such meeting. Powers of Chairman of committee.

In case a member of the committee shall be absent, without any valid excuse, from any meeting of the council, he may, upon such absence being reported to the council, be censured by the mayor, on the advice of the council, and in case of his repeating the offence, be condemned to pay a fine not exceeding ten dollars. Absence from committee.

59. The town council shall have power to pass by-laws for the government of its sittings and that of the standing committees, and it may, by such by-laws, impose a fine, not exceeding ten dollars upon any member, or members, who, without any valid reason, shall fail to attend the meetings of the council. Council, to regulate sittings &c.

SECRETARY—TREASURER.

60. The town council may, from time to time, as it may deem expedient, appoint a qualified person, who shall Council may appoint a sec-

retary treasurer. not be a member of the council to be, and who shall be called : " the secretary-treasurer of the town of St. Johns ; "

Chief of police. another person to be chief of police of the said town ; one

Clerks of mar- or more persons to be clerks of the markets of the said
kets. town ; one or more persons to be inspectors of roads,
Roads, &c., streets, bridges and ditches, as it may deem expedient ;
inspectors. one or several keepers of public pounds for the said town ;
Pound keep- such constables or officers or policemen as it may
ers. deem necessary for the exercise of the powers granted to
Constables. the said council by the present act, and to cause the laws
and by-laws to be observed, and to prescribe and deter-
mine the duties of each of such officers, and at pleasure to
remove and replace them ; to exact from every person
Security. employed by it, under any title whatsoever, such security
as it may deem sufficient to secure the proper performance
of their duties ; and to grant and allow to the officers
Salary. appointed as aforesaid such salary, assistance or other
compensation as it may deem proper, for their services.

Assistant sec- **61.** The secretary-treasurer, as soon as he is chosen,
retary-treasu- shall appoint, under his signature and with the authori-
rer his duties. zation of the council, an assistant secretary-treasurer, who
shall, in case of the absence or illness of the secretary-
treasurer, perform all the duties of the secretary-treasurer,
with the same rights, powers and privileges, and subject
to the same obligations and penalties as the secretary-
treasurer himself.

Obligations of **62.** The secretary-treasurer and his sureties shall be respon-
secretary- sible for all the acts of omission and commission of the
treasurer as to said assistant-secretary-treasurer.
assistant.

Assistant-sec- **62.** The secretary-treasurer may dismiss his assistant
retary-treasu- and replace him by another, with the permission of the
rer may be dis- council.
missed.

Duties of sec- **62.** The secretary-treasurer shall be the custodier of all
retary-trea- the books, registers, valuation-rolls, collection-rolls, reports,
surer. *procès-verbaux*, plans, maps, records, documents and papers
kept or filed in the office or archives of the council ; he
shall attend all its sittings, and shall enter in a register,
kept for the purpose, all the proceedings of the council
and he shall allow persons interested therein to inspect
the same at all reasonable hours ; and every copy or extract
of or from any such book, register, valuation-roll, collection-
roll, report, *procès-verbal*, plan, map, record, document or
paper, certified by such secretary-treasurer, shall be deemed
authentic.

Documents
certified shall
be deemed au-
thentic.

Security of **64.** The secretary-treasurer shall give security for not
secretary- less than one thousand dollars for every five thousand
treasurer.

dollars of the revenue of the said town ; such security may be effected by a guarantee policy, which the mayor shall keep in his possession, and hand over to his successor in office.

65. The secretary-treasurer of the council shall receive all moneys due and payable to the corporation, and he shall, after having been authorized to that effect by the council, be bound to pay out of such moneys, all drafts or orders drawn upon him by any person thereto authorized by this act, for the payment of any sum to be expended or due by the municipality, whenever thereunto authorized by the council ; but no such draft or order shall be lawfully paid by the secretary-treasurer, unless the same shall show sufficiently the use to be made of the sum mentioned in such draft or order, or the nature of the debt to be paid thereby.

Secretary-treasurer shall receive and pay all moneys of corporation.

66. The secretary-treasurer shall keep, in due form, books of account in which he shall respectively enter each item of receipt and expenditure, according to dates, mentioning also, the names of the persons who have severally paid any moneys into his hands or to whom he has made any payment, and he shall keep in his office the vouchers for all expenditure.

Shall keep the books.

67. The secretary-treasurer shall render to the council every six months, that is to say, in the months of June and December in each year, or oftener, if required by such council, a detailed account of his receipts and expenditure, attested by him under oath.

Render attested accounts.

68. The secretary-treasurer's books of account and vouchers shall, at all reasonable hours of the day, be open for inspection, as well to the council as to each of the members thereof, and the municipal officers thereof, by them appointed, as to any rate-payer of the town.

Books to be open to the public.

69. The secretary-treasurer, or any other person, who shall have filled the said office, may be sued by the mayor or council, in the name of the corporation, before any tribunal of competent jurisdiction, in an action to account, and in any such action he may be condemned to pay damages and interest, for having failed to render such account ; and if he renders an account, he shall be condemned to pay such balance as he shall acknowledge or declare to have in his hands, together with such other sums as he ought to have debited himself with, or as the court shall think he ought to be held accountable for.

He may be sued by the mayor, &c., in the name of the corporation.

Damages in
such suit.

And every judgment pronounced in any such suit shall include interest at twelve per centum on the amount thereof, by way of damages, together with the costs of suit.

*Contrainte par
corps.*

70. Every such judgment shall carry *contrainte par corps* against the said secretary-treasurer, according to the laws in force, in like cases, in the Province of Quebec, if such *contrainte* be demanded in the action to compel the rendering of the said account.

OTHER OFFICERS.

Council may
appoint other
officers.

71. The council shall have power and authority to appoint such other officers as may be necessary for carrying into effect the provisions of this act, or of any by-law or regulation of such council.

Officers reti-
ring—their
duties.

72. Every municipal officer or member of the town council, whether elected or appointed, shall, within eight days from the day on which he shall cease to hold such office, deliver to his successor, if he be then elected or appointed, or if not, then within eight days after the election or appointment of such successor, all moneys, securities, keys, books, papers and insignia, belonging to such office.

In case of
death or ab-
sence from the
province.

73. If any such officer or member of the town council, die, or absent himself from the Province of Quebec, without having delivered up all such moneys, securities, keys, books, papers and insignia, it shall be the duty of his heirs or other legal representatives to deliver the same to the council on demand.

His successor,
to have a right
of action for
certain pur-
poses.

74. And, in every such case, the council shall, in addition to all other legal recourse, have a right of action before any court of justice, either by *saisie-revendication* or otherwise, to recover from such officer or member of the town council, or from his legal representatives, or any other person in possession of the same, all such moneys, securities, keys, books, papers or insignia, together with costs and damages in favor of the corporation; and every judgment, rendered in every such action, may be enforced by *contrainte par corps* against the person condemned, according to the laws in force in such cases in the Province of Quebec, whenever the said *contrainte* is demanded by the declaration.

VACANCIES IN THE COUNCIL.

Vacancies in
council.

75. There shall be a vacancy in the office of mayor and councillor respectively in the following cases:

1. When a person who is exempt, is elected to fill one of such offices, or when a person filling such office, becomes exempt, or when in either case such person claims such exemption ;

2. In case of refusal to accept or to continue to fill such office ;

3. When the mayor or councillor, no longer has his domicile within the limits of the said town, or when they become incapable of acting under sections 11, 12 and 13 ;

4. In case of death ;

5. When such mayor or councillor has ceased, without leave from the council, to attend the meetings of the said council, for three consecutive months.

ASSESSORS.

76. The town council shall, each year, at one of its sittings in the month of April, appoint three assessors or valuers of property, and it shall be the duty of the said assessors to estimate the taxable property in the said town, according to its real value, and in the manner and within the periods which shall be fixed by the said council. And the council may, by resolution, fix the amount of remuneration which shall be paid to the assessors for their services.

Appointment of assessors.
Their duties.
Their remuneration.

77. Every person so appointed assessor shall be bound, before proceeding to the valuation of any property in the said town, to take, before the mayor of the said town, or, in his absence, before a councillor or justice of the peace, the following oath, to wit :

Assessors, to be sworn.

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

78. The assessors, who shall be so appointed for the said town, must have resided therein for the twelve months preceding their nomination, and they shall be bound, each year, upon the order of the said council, within the delays and in the manner prescribed by it, to value the stocks of merchandize owned in the said town, and make out the list of lessees of moveable property, of persons, animals, trades, professions, quality and status, and generally of all things liable to taxation.

Qualification of assessors.
Duties.

And such valuation and assessment rolls shall be deposited, examined and revised as stated in the next section of this act.

Rolls, to be deposited.

Proceedings
upon deposit
of such rolls.

79. When the assessors shall have made the valuation of all the taxable real estate of the said town, and the rolls mentioned in the preceding section of this act, they shall deposit such rolls, which shall be called valuation-rolls, with the secretary-treasurer of the said town, and notice of such deposit shall be given by the secretary-treasurer, in a French and English newspaper, published in the said town, and in default of such newspaper, then such notice shall be posted upon the door of the office of the said town council; and, at an ensuing meeting of the said council, the said assessment-rolls shall be produced, and if they desire it, examined by the councillors, and the assessment-rolls shall be deposited in the office of the secretary-treasurer for the period of one month, dating from such meeting; and during that period, they shall remain open to the inspection of all persons whose property shall have been estimated, or their representatives, and within that period, persons considering themselves aggrieved, may give notice in writing to the secretary-treasurer, of their intention to appeal to the said town-council, complaining of any excessive valuation, and such appeal shall be tried by the said council, at the first meeting, which shall be held, after the expiration of the month above mentioned; and the said council, after having heard the parties and their witnesses, under oath, which shall be administered by the mayor or pro-mayor or presiding councillor, shall confirm or alter the valuation, the change whereof shall have been prayed for, and shall modify or alter the said rolls so as to them shall seem just; and at the same meeting the said rolls shall be declared closed for a year; unless, however, from the number of appeals, the council shall be compelled to adjourn, in which case said roll shall not be declared closed until all the appeals shall have been heard and determined; provided always, that if, after the said rolls shall have been declared closed as aforesaid, any property in the said town should suffer any considerable diminution in value, either through fire, demolition, accident or any other reasonable cause, it shall be lawful for the said council, upon the petition of the proprietor, to instruct the valuator to reduce their valuation of such property to its then actual value; and provided also that, if any omission shall have been made in the said rolls, the said council may, at any time during the year, order the valuator to value any property so omitted or to rectify any error in the said rolls and to complete the same by a supplementary roll, which shall be deposited, published, and homologated in the same manner as the original roll and shall have the same effect.

Proviso: as to
diminution in
value.

Proviso: as to
omissions.

Supplemen-
tary roll.

REFUSAL TO ACCEPT OFFICE.

Penalties upon
persons refusing
to accept
office of :

- 84.** Every person, who shall be regularly elected or appointed to any of the offices of mayor, councillor, assessor or auditor of the said town, shall accept such office under the fines hereinafter mentioned, unless such person be exempt, under any of the provisions of the present act.
- Mayor; The fine for a person elected mayor, who shall refuse to accept and to act, shall be forty dollars ;
- Councillor; The fine for a person elected councillor, who shall refuse to accept and to act, shall be twenty dollars;
- Auditor; The fine for a person appointed auditor, who shall refuse to accept and to act, shall be ten dollars;
- Assessor. The fine for a person appointed assessor, who shall refuse to accept and to act, shall be ten dollars.

PARTIAL ELECTIONS.

Partial elec-
tions.

85. When it shall be necessary, for any of the reasons mentioned in the present act, to replace the mayor or any of the councillors, before the expiration of the time for which such mayor or councillor was elected, the council shall appoint two of the councillors in office one as president and the other as deputy at such election, and such election shall be proceeded with in the same manner as an annual general municipal election.

TAXATION.

Council may
levy taxes :

86. In order to raise the necessary funds to meet the expenses of the said town council, to provide for the several necessary public improvements in the said town, and to enable it to meet its obligations and engagements and provide for the expenses or debts which it may incur or has incurred, under the powers conferred upon it by the present act, the said town council shall be authorized to levy annually, on persons and on moveable and immoveable property in the said town, the taxes hereinafter designated, that is to say :

Upon real
property ;

1. On all lands, town-lots, and parts of town-lots, whether there be buildings erected thereon or not, with all buildings and erections thereon, a sum not exceeding one half cent in the dollar on their whole real value, as entered on the assessment roll of the said town ;

And upon
certain mo-
veable pro-
perty ;

2. On the following moveable property a sum not exceeding one half cent in the dollar at the value hereinafter specified ;

Every horse, for covering mares, shall be rated at four hundred dollars.

Every horse, mule or ass, at sixty dollars ;

Every bull, at fifty dollars ;

Every ram, at twenty dollars ;

Every head of horned cattle, aged two years and more, at twenty dollars ;

Every covered carriage with four wheels, at two hundred dollars ;

Every open carriage with four wheels and two seats, at one hundred dollars ;

Every curriele or light wagon with one seat, at forty dollars ;

Every two horse sleigh, at eighty dollars ; every one horse sleigh, at forty dollars ;

Provided always that every winter or summer vehicle, used solely for drawing loads, as well as every vehicle commonly called draught or work vehicles, and all implements used for agricultural purposes, shall be exempt from any tax whatever ; Proviso : certain personal property exempted ;

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

4. On each tenant paying rent in the said town, an annual sum equivalent to three cents in the dollar on the amount of his rent ; but not on lessees of land under cultivation, not subdivided into town-lots ; Upon tenants ;

5. On every dog, kept by persons residing in the said town, an annual sum of one dollar. Upon dogs ;

87. And it shall be lawful for the said town council, for the purposes mentioned in the preceding section, to fix, by a by-law or by-laws, and to impose and levy certain annual duties or taxes on the proprietors or occupants of houses of public entertainment, taverns, coffee-houses, and eating-houses and temperance hotels, and on all retailers of spirituous liquors ; and on all pedlars and itinerant traders, selling in the said town, articles of commerce of any kind whatsoever ; and on all proprietors, possessors, agents, managers and keepers of theatres, circuses, billiard-rooms, ten-pin alleys, or other places for games or amusements of any kind whatsoever ; and on all auctioneers, grocers, bakers, butchers, hawkers, hucksters, carters, livery-stable keepers, brewers, and distillers ; and on all traders and manufacturers, and their agents ; and on all proprietors or keepers of wood-yards, or coal-yards, and slaughter-houses in the said town, and all money-changers or exchange brokers, pawn-brokers ; and on all bankers and banks, and all agents of bankers and banks ; and on all building societies or insurance com- Upon certain trades, &c ;
Public houses ;
Pedlars ;
Theatres, &c ;
Auctioneers and grocers, &c ;
Manufacturers ;
Bankers, &c ;
Buildings societies and

insurance
companies :
All callings
whatever :

panies and their agents ; and generally on all commerce, manufactures, callings, arts, trades and professions, which have been or which may be introduced into or exercised in the said town, and the amount of such dues or taxes shall be fixed and determined by a by-law or by-laws of the council of the town of St. Johns, and shall be in proportion to the amount of the business, industry, trade, revenue of each person, according to the valuation, which shall be annually made by the assessors and shall be fixed and determined by the council, at its discretion, provided that in no case shall the amount of duties or annual taxes exceed one hundred dollars.

Upon certain
professions, &c

And every person, in the said town, practising the profession of an advocate, physician, dentist, land-surveyor, or notary or any other liberal profession, or acting as a civil officer appointed by the federal or by the local governments, or as prothonotary of the superior court of this province, or as sheriff, provincial land surveyor or employed in the service of another and whose salary exceeds five hundred dollars shall, for the same purposes, be assessed at the sum of six dollars annually ; and the said town council may order the assessors to make the roll of the persons industries, companies, employment, quality and moveable property mentioned in the different parts of this section.

Roll to be
made.

BY-LAWS.

Council may
make by-laws
for certain
purposes.

88. The said town council shall have power to make, from time to time, such by-laws as it may deem necessary or expedient for the internal government of the town, the improvement of the locality, the preservation of peace and maintenance of order, the repair, cleaning and draining of streets and public squares, vacant or occupied lots, the prevention or suppression of all nuisances whatsoever, the maintenance and preservation of the public health, in a word for every thing which relates to or is in the interest of the internal economy and government of the said town.

The council
may make by-
laws for res-
training, &c.

89. The town council shall have full power and authority to make, amend, alter and repeal, and to enforce and put into execution one or several by-laws for the following purposes to wit :

Gambling, &c.

1. For restraining and prohibiting every kind of gambling in the said town, and preventing the keeping of gambling houses, or houses for debauchery of any description in the said town ;

Cards, &c.

2. For preventing and restraining all games with cards, or other games of chance, playing with dice with or

without betting, in any licensed or unlicensed hotel, eating-house, tavern or shop in the said city ;

3. For preventing and prohibiting any riot or tumult, ^{Riot.} disturbance or disorderly assembly, and punishing the authors thereof ; and for giving power or authority to enter into all houses of a doubtful character, shops, taverns, hotels, and other houses or places of public entertainment, licensed or not licensed, in the said city, or into any private house ;

4. For arresting on the spot and punishing such persons, ^{Arrest of persons infringing by-laws.} as shall be found playing either at cards, dice or other games of hazard, or engaged in cock-fights or dog-fights, in any place whatever, within the limits of the said town ;

5. For giving power and authority to visit and examine, ^{Visit of houses, &c.} at reasonable hours, the exterior or the interior of any house, land or building of any kind in the said town, for the purpose of ascertaining whether the by-laws passed by the said council are regularly observed ; and for obliging all proprietors or occupants of houses, lands or buildings in the said town to admit any person authorized as aforesaid, for the purpose hereinbefore expressed ;

6. For repressing and punishing vagabonds, beggars, ^{Vagabonds.} prostitutes and disorderly persons ;

7. For licensing, regulating or prohibiting shows and ex- ^{Shows, &c.} hibitions of any natural or artificial curiosities, caravans, circuses, menageries and theatrical representations, and generally exhibitions of all kinds : the amount of such licenses shall not exceed two hundred dollars ;

8. For prohibiting cock-fights and dog-fights, and all ^{Cock-fights, &c.} other cruel amusements in the said town ; and also for preventing the driving of vehicles at immoderate speed in the ^{Driving at immoderate speed.} said town, and the infliction of barbarous or inhuman treat- ^{Cruelty to animals.} ment upon horses or other animals ;

9. For prohibiting and punishing the flying of kites, and ^{Flying kites, &c.} any other sport or amusement practiced in the streets or elsewhere, which may have the effect of frightening horses, or of annoying or disturbing persons passing in or along the streets of the said town, or of endangering property ;

10. For obliging all persons to remove the snow, ice or ^{Removal of snow, ice, &c.} filth from the sidewalks and from the roofs of the buildings possessed or occupied by them, and for punishing them for failing to do so ;

11. For preventing the throwing into any streets or public places of any sweepings, filth, dirt, rubbish or ordures ^{Depositing rubbish, &c.} and for enforcing the removal thereof ;

12. For preventing and forbidding the obstruction of the ^{Obstructing streets, &c.} streets, squares or sidewalks, by carriages, carts, sleighs, wheelbarrows, boxes, wood, or any nuisance or material whatsoever ;

- Hawking, &c. 13. For prohibiting or for licensing or regulating the selling or hawking of fruits, cakes, refreshments, jewellery, and merchandize of all kinds in or along the streets, public places and sidewalks of the said town ;
- Removal of garbage. 14. For obliging the proprietor or occupant of every grocery, cellar, candle or soap factory, tannery, stable, barn, privy, drain, garden, field, yard, passage or vacant lot, or any place that may be unwholesome or fetid, to cleanse and purify it, or even to remove or to cause to disappear from it, all noxious matter, as far as may be necessary for the health, comfort and convenience of the inhabitants in the said town ;
- Cleaning premises. 15. For compelling the proprietors or occupants of houses to clean all stables, out-houses, privies, and yards connected therewith, at such time and in such manner as the council may deem expedient ;
- Draining water. 16. For compelling all owners or occupants of lots in the said town, on which there shall be stagnant water, to drain or raise such lots, so that the neighbors may not be incommoded, nor the public health compromised ;
- Removal of carcasses, &c. 17. For preventing any person from bringing into or depositing or leaving within the limits of the said town any dead body or carcass, and for causing the same, together with any matter or thing on the point of becoming or likely to become unwholesome, to be removed by the proprietor or occupant of any place where they may be found ;
- Preventing burials. 18. For preventing burials within the limits of the said town, or for fixing the places where they may take place ; for compelling the disinterment of bodies buried in contravention of this provision ; but this clause shall not be construed to extend to prevent the interment of bodies in the churches or chapels of the said town ;
- Exception. 19. For preventing, in the said town, the profanation of burying-grounds, tombs, sepulchres, monuments or vaults, where the dead are buried ;
- Profanation of burying-grounds. 20. For prohibiting, or for regulating the erection, use or employment in the said town of steam-engines or of manufactories of any kind which may be calculated to vitiate the air and incommode the neighborhood, of which the said council shall be the judge ; or of shambles, manufactories or establishments, where works, operations or processes are carried on which endanger or tend to jeopardize the public health or the public safety ; and the said town council shall also have the power to permit the erection, use or employment thereof, subject to such restrictions, limitations and conditions as the said town council may deem necessary ;
- Steam engine.

21. For restraining and regulating the custody and abandonment of animals of all kinds, and to authorize the detention thereof in public pounds, and the sale thereof for the penalty incurred, and the costs of prosecution, as well as the expenses of detention ; Stray animals.

22. For preventing or removing all abuses prejudicial to agriculture and not specially provided against by law ; Agricultural abuses.

23. For the establishment of public pounds, for the safe keeping of animals and poultry, found astray or doing damage on the public roads and bridges or on the lands of others than the owners of such animals and poultry ; the fees to be paid to such keepers of such pounds ; the damages payable by owners of such impounded animals and poultry, and also the manner in which such animals or poultry shall be sold, in the event of their not being claimed within a reasonable time, or in case the damages, penalties, fines and expenses shall not have been paid according to law, or to any by-laws made for the said purpose. Public pounds.

24. For establishing a tariff of fines and dues which shall be paid to the public pounds which are now kept, or which shall hereafter be established in the said town ; Fines, &c., for pounds.

25. For forbidding and preventing the allowing of dogs to go at large in the said town, and for authorizing the destruction of all dogs wandering at large, in contravention of any by-laws, in the said town ; Dogs at large.

26. For authorizing the seizure and confiscation of all grain, meat, fish, flour, butter, potatoes, and all other vegetables, fruits, articles and effects brought into the said city, for sale or otherwise, on account of deficiency in measure, weight or quality, or for any other good and sufficient reason ; and for regulating the weighing and measuring of all cordwood, coal, salt, grain, lime and hay brought into or sold in the said town by strangers or by persons residing therein ; for determining in what manner and at what place these articles or any others shall be sold and delivered either by the quantity, or by bulk or by weight ; and for compelling all persons to conform, in these matters, to the regulations, which the said council may deem it advantageous to establish in future ; Seizure of grain, &c., for deficiency in measure, &c.

27. For establishing a market-place or market-places, or for enlarging the market-places that now exist, or those which shall be established in future ; Market-places.

28. For determining and regulating the duties of the clerks of the markets of the said town, or of the chief of police, policemen and constables or of any other persons whom the said council may think it right to employ to superintend the said markets ; and for letting the stalls or places of sale in and around the said markets ; and for determining Duties of clerks, &c. Letting stalls ; market dues.

- and fixing the dues, which shall be received for all persons who shall come to sell their goods or produce of any kind there, and for regulating the conduct of all such persons in the sale of their effects ; and for regulating the weighing and measuring, as the case may be, at the request of any party concerned, by the officers appointed for that purpose by the said town council, and on payment of all fees, which the said council shall have thought fit to prescribe for so doing, of all produce whatsoever that may be offered for sale on the said markets ;
- Weighing, &c., of produce.** 29. For imposing duties upon waggons, carts, sleighs, boats, canoes and vehicles of all descriptions, in which articles shall be exposed for sale upon any such market or in any street, or upon any beach within the town, and for regulating the manner in which such vehicles shall be placed when used for any such purposes ;
- Vehicles in markets.** 30. For regulating and levying, and imposing dues upon all vehicles in which articles shall be exposed for sale, or which may take up places in the said markets, establishing the manner in which the said dues shall be levied ;
- Sale on markets.** 31. For preventing persons bringing goods of any kind, wood or materials, into the said town, from selling or exposing them elsewhere than on the said markets ;
- Hucksters.** 32. For restraining and regulating the commerce of hucksters and persons buying articles, brought into the said town, for the purpose of selling the same again, and for levying dues and taxes upon them in the prosecution of their traffic ;
- Bakers.** 33. For making by-laws concerning the bakers in the said town, and the persons in their service ;
- Height of chimneys of bakeries, &c.** 34. For preventing any baker, potter, blacksmith, brewer, manufacturer of pot-ashes or pearl-ashes or other manufacturers or persons from building, making or having any oven or furnace, unless such oven or furnace communicates with and opens into a chimney of stone or brick, rising at least six feet higher than the top of the house or building in which, or in connection with which, such oven or furnace is placed ;
- Sale of bread.** 35. For regulating the sale and the weight of bread that may be sold or offered for sale in the town, and for providing for the inspecting and weighing of all bread offered for sale, and for the seizure, forfeiture and confiscation, and also for the mode of disposing, after confiscation, of all such bread so offered for sale in contravention of the said regulations, or bread that may be unwholesome or too light ; and to this end, to authorize officers or persons to enter into bakers' shops or other places, and to stop vehicles carrying bread, for the purpose of inspecting and weighing such bread, and to do any other act or

thing that may be necessary, or that may be deemed advantageous to the public interest and safety, for the attainment of such object or for causing such regulations to be enforced ;

36. For compelling bakers to mark, with the initials of their respective names, the bread made by them ; Marking bread.

37. For authorizing the granting of licenses to carters, and to the owners and drivers of public vehicles, kept for hire in and for the said town, to compel them to provide themselves with such licenses, the cost of such license not to exceed twenty-five dollars ; and also for the better guidance of the owners and drivers of such vehicles, and for the establishment of rules and regulations respecting public carts, chaises, caleches, carriages, or other vehicles kept for hire in and for the said town, as well as for establishing a tariff of prices for the same ; Carters &c. Tariff for carters.

38. For imposing a fine and penalty on any carter refusing to act as such ; Penalty on carters.

39. For imposing a fine and penalty on any person who shall hire, engage, or employ carters in the said town, and who shall neglect or refuse to pay them for their services, at the rate fixed in the said tariff, established by the town council ; Penalty on person refusing to pay a carter.

40. For regulating, cleaning, repairing, mending, altering, opening, widening, narrowing, straightening or discontinuing the streets, squares, lanes, highways, bridges, sidewalks, crossings, drains and sewers, and all natural water-courses in the said town ; and for preventing their being encumbered in any way, and protecting them from encroachment and injury ; and also for settling the direction of all natural water-courses, running through private property in the said town ; and for regulating everything on this subject, whether the said water courses be or be not covered ; it shall also have power to regulate the mode of planting, rearing and preserving ornamental trees in the streets and public places of the said town ; Public streets, squares, &c. Ornamental trees.

41. For establishing how and by whom the streets, squares, lanes, highways, bridges, sidewalks, crossings, drains and sewers and all natural water-courses, in the said town, shall be made, cleaned, repaired, maintained, mended, altered, opened, widened, narrowed, or straightened. Streets and by whom to be made &c.

42. For establishing how and by whom, within the limits of the town, certain lands under cultivation and not subdivided into town-lots shall be drained, and to determine how the water-courses, used for the purpose of draining such lands, shall be made and kept, and for assessing the several proprietors of such lands for their share in the construction, repair and maintenance of such water-courses and to authorize the council to have the necessary Water-courses, &c.

works performed, in the event of the refusal of such proprietors to comply with such by-law and to levy the cost thereof from such proprietors so in default.

Fences.

43. For compelling the proprietors of all lands and immoveable property, in the said town, or their agents or representatives, to enclose such lands, and for prescribing the height and strength of the materials that shall be employed in so doing ;

Damages from riot and tumults.

44. For assessing, over and above all the taxes specially established by this act, all the citizens of the said town, for the purpose of defraying the expense of indemnities, which the said council may be bound to pay to persons in the said town, whose houses or other buildings shall have been destroyed or damaged by a riot or by tumultuous assemblies or pulled down in case of fire as provided by this act ;

Encroachments on streets &c.

45. For compelling all owners of houses in the said town, to remove from the streets, all encroachments or projections of any kind, such as galleries, porches, posts, fences or any other obstacle whatever ;

Width &c., of streets.

46. For regulating the width of the streets that shall be opened in future in the said town ; for regulating and altering the height or the levels of any street, or of any side-walk in the said town ; Provided that if any person suffer actual damage by the widening, prolongation or alteration of level of any of the streets of the said town, such damage shall be paid for to such person at a valuation by *experts*, if either of the parties require it ;

Proviso.

Sweeping and watering.

47. For assessing, at the request of the majority of the proprietors, residing in any of the streets or public places of the said town, all the citizens residing in such street or public place at such sums as may be necessary to provide for the expense to be incurred for sweeping, watering and keeping clean such street or public place, and that according to the assessed value of their properties ;

Water and gas.

48. For providing, out of the funds of the said town, for a supply of water for the citizens of the said town, and for the lighting of the said town with gas, or in any other way, and for obliging the owners of immoveable property in the said town, to allow the necessary works for these purposes to be done upon their respective properties ; and for compelling all proprietors to allow the necessary pipes, lamps or posts to be attached to their houses ; and provided also, that the solidity of the buildings on or near which they shall be, shall be, in no way, affected thereby ;

Horses in streets, &c.

49. For regulating the way in which horses shall be left at rest, or be tied in the streets or in open sheds in the said town ;

50. For preventing or regulating bathing and swimming ^{Bathing and swimming.} in the Richelieu river and Chambly canal, within the limits of the said town ;

51. For regulating and preventing the firing of guns, ^{Firing of guns &c.} pistols and other fire-arms, and preventing the making of bonfires and the firing off of rockets and crackers ;

52. For regulating the mode of making fences between the ^{Fences.} lands of adjacent proprietors ;

53. For regulating and making obligatory, the construction ^{Fire-walls.} of fire-walls (*coupe-feu*) in masonry ; for prohibiting the ^{Stove-pipes.} use of stove-pipes passing through the roof or otherwise instead of a chimney ;

54. For regulating the construction, the dimensions and ^{Chimneys.} the form of chimneys and their height above the roofs, or even, in certain cases, above the surrounding houses and buildings ; and by whom the cost of the elevation of such chimneys shall be borne, and within what time such chimneys shall be raised or repaired ;

55. For regulating the manner in which chimneys shall ^{Sweeping of chimneys.} be swept, and at what periods in the year, and for compelling all owners, tenants or occupants of houses in the said town to allow their chimneys to be swept ; and for fixing the rates to be paid, for such sweeping ; and for imposing a fine on all persons whose chimneys shall have taken fire, after their refusal to allow such chimneys to be swept ; and whenever a chimney, which shall have so taken fire as aforesaid, shall be common to several houses or to several households in the same house, the aforesaid fine may be recovered wholly from each owner, tenant or occupant of such house or divided between them at discretion ;

56. For regulating the mode in which ashes and quick- ^{Ashes and quick-lime, &c.} lime shall be kept in the said town, and for preventing a inhabitants of the said town from carrying fire in the streets, without the necessary precautions ; from making fire in a street, yard or field or any place within the limits of the town ; from going from their houses to their out-houses and entering therein with lighted candles or lamps not enclosed in lanterns ; and for regulating the mode of keeping and of transporting gunpowder or any inflammable or dangerous substances ; and for regulating or preventing the keeping of smoke-houses and dangerous manufactures as being likely to cause or facilitate fires ; and finally, for making all the regulations they may think necessary for guarding against or diminishing danger from fire ; and for compelling the proprietors or occupants of barns, lofts or other buildings, containing combustible or inflammable materials, to keep the doors thereof closed, when not necessarily required to be opened ;

Wood yards,
&c.

57. For compelling every person, desirous of keeping a wood-yard, in the town of St. Johns, to previously obtain a license or permit from the council and also for determining under what conditions such license shall be granted; provided that it shall be lawful for the said council, when it deems it advisable, for the prevention of fire or for any other reason, to refuse such permit or to grant it only for certain places in the town of St. Johns; and the council shall also have the right to determine, by such by-laws how such wood-yards shall be kept and fenced in and to what height wood may be piled, both by owners of wood-yards and by any other person in the town of St. Johns;

Gunpowder.

58. For providing that gunpowder be safely kept in boxes of wood, copper, tin or lead, or any other metal; for regulating the quantity which may be kept in each shop, house, building or vault, and for prohibiting the sale thereof after sunset;

Thefts, &c., at
fires, &c.

59. For preventing thefts and depredations at fires, and for punishing any person who resists, opposes or illtreats any member or officer of the council, while in the execution of the duty assigned to him or in the exercise of any power, with which he is invested in virtue of any by-law made to prevent the dangers of fire;

Conduct at
fires.

60. For regulating the conduct of all persons present at any fire in the said town; for compelling the idle lookers-on to help to extinguish the fire or save the effects in danger;

Ladders and
fire-buckets.

61. For compelling all the inhabitants of the said town to keep constantly on hand, on, or in their houses, ladders and fire-buckets, in order the more easily to arrest the progress of fire;

Demolition of
buildings, &c.,
at fires.

62. For giving to such members of the council and the superior officers of the fire department, who shall be designated in such by-laws, power to cause to be demolished, thrown down or blown up during a fire, any houses, buildings, out-houses or fences that may furnish fuel to the fire and endanger the other properties of the inhabitants of the town;

Officers to
carry out fire
regulations.

63. For appointing all the officers the said council may deem to be required for causing the by-laws it may make in relation to dangers by fire to be put in execution; determining their duties and privileges, and remunerating them, if it think proper, out of the funds of

Firemen, &c.

the said town; and for regulating and establishing one or more companies of firemen and sappers; and for authorizing the officers, whom it shall think proper to name for this purpose, to visit and inspect, at seasonable hours, the interior or exterior of every house or building of any kind in the said town, for the purpose of ascertaining if the

Authorizing
officers to visit
buildings, &c.

by-laws passed by the said council, under the authority of this section, are regularly observed ; and for obliging all owners or occupants of houses in the said town to admit such officers for the purpose hereinbefore set forth ;

64. For imposing penalties upon the members of fire-companies who shall fail to do their duty ; Penalties on firemen.

65. For raising and levying any sums of money necessary for any purpose, within the scope of the functions of such council ; such sum to be raised by rates equally assessed upon all the persons liable thereto, in proportion to the value of their assessable property ; Raising money.

66. For imposing and levying upon the parties interested in any works undertaken, either before or after the passing of this act, for the benefit of the town, or of any part of the inhabitants of the said town, a special tax to provide for the payment of such work, although the performance thereof has not been preceded or followed by the formalities required by law ; Special tax for certain purposes.

67. For preventing the sale of any intoxicating drinks to any child, apprentice or domestic servant ; Sale of intoxicating drinks to children.

68. For prohibiting and preventing the sale of all spirituous, vinous, alcoholic and intoxicating liquors, or to permit such sale, subject to such limitation as the council shall consider expedient ; Sale of liquor s

69. For determining under what restrictions and conditions, and in what manner the collector of inland revenue or license inspector shall grant licenses to shop-keepers, tavern-keepers, persons keeping temperance hotels, restaurants, saloons, or to liquor dealers to sell such liquors ; Licenses.

70. For preventing any transfer of a tavern, temperance hotel, restaurant, saloon or liquor dealer's license, or for determining under what restrictions and conditions and in what manner such transfer shall be accepted by the collector of inland revenue ; Transfer of licenses.

71. For the ordering and governing of all shop-keepers, tavern-keepers, or other retailers of such liquors, in whatever place they may be sold, in such manner as the council deems proper and expedient for the prevention of drunkenness ; Regulation of shop keepers.

72. For regulating the conduct and certain duties of apprentices, domestics, servants and journeymen in the said town, and also certain duties and obligations of masters and mistresses towards such apprentices, domestics, servants and journeymen ; Servants and apprentices.

73. For preventing and suppressing, on Sundays, or festivals, all races with horses or other animals, on any race-course, or other places specially set apart for horse-racing, or in any other place whatever ; Horse-racing, &c., on Sundays, &c.

- Measurement of lumber. 74. For regulating the measuring of lumber and shingles, brought within the said town for sale; for regulating and determining whether any other articles, purchased or sold within the town, shall be weighed or measured, or both; and for appointing persons to weigh and measure any or all such things, and for fixing and determining the remuneration to be paid to such officers, and the duties to be performed by them;
- Weigh-master.
- His remuneration.
- Theatrical performances. 75. For regulating the manner in which any theatrical performance or other public exhibition shall be held, and for prohibiting them on Sunday, and for the imposition of a tax upon every such performance or exhibition, which tax, if not paid on demand, may be levied out of the goods and chattels of all or any of the persons connected with such performance or exhibition, under a warrant of distress, signed by the mayor of the town, without any previous judgment; and for prohibiting any such performance or exhibition tending to endanger public safety or morality.
- Damaging, &c., ornamental trees. 76. For preventing the felling, damaging or destroying of trees, planted or kept for shade or ornament, either on public roads or on private property;
- Inspectors' divisions. 77. For the dividing of the said town into inspectors' divisions;
- Placards, &c. 78. For preventing the posting, making or writing of posters, paintings, drawings, indecent words or writings on the houses, walls or fences, or in the streets or public places;
- Swearing. 79. For repressing profane or blasphematory swearing in the streets, on public squares, or in their vicinity;
- Charivaris*. 80. For preventing and repressing mock serenades [*charivaris*] and other similar things, troubling the public peace;
- Numbering houses, &c. 81. For numbering the houses and lots situate along the streets of the said town;
- Obstruction of streets by cars, &c. 82. For preventing the obstruction of the streets of the said town by the cars, or trains of cars, locomotives or other engines of any railway company, and for compelling the said company to erect gates at such places, as the council may indicate, and determining what precaution the conductors, engine-drivers or stokers of such trains, cars, or engines shall take, when crossing, or at the eve of crossing, the streets in the said town, and imposing either on the said servants of the railway company or on the company itself a fine for each infraction of the by-laws passed for that purpose; provided always that no by-law can by any means or in any manner whatever, create any obstacle or impediment to the use of the railways, cars, engines or other works or machinery belonging to such railway or depending therefrom;
- Precautions at crossings.
- Proviso: as to preventing use of cars, &c.

83. For defining the duties of all the officers, named by the council, and imposing on these officers penalties or fines for neglect to perform their duties in all cases where such penalties or fines are not determined by law ; Duties of and penalties upon officers.

84. To regulate the kind of material to be used in roofs and exterior walls of buildings erected in the town of St. Johns or in certain portions of the said town, when the council deems necessary ; Materials for roofing.

85. To allow the inspector or any ratepayer or policeman appointed by the council, or the clerks of the markets, to seek out and cause to be punished, any persons who attempt to evade or evades or has evaded payment of the duties imposed for the sale of merchandise or animals in the said town, by hiding in yards or by driving through the town ; Evading dues.

90. The powers of the said town council of St. Johns shall extend furthermore to the following objects : Further power to make by-laws.

1. To the appointing, arming, lodging, clothing and paying of a police force in the said town ; Police force.

2. To the founding, establishing and regulating a town gaol or place of detention, in which, from time to time, to confine persons violating the regulations of the said council, or any of the provisions of the present act providing for imprisonment, or guilty of vagrancy or other offences ; Gaol.

3. To the demolishing of any bridge-pillars erected in contravention of the by-laws of the said town ; Bridge pillars.

4. To the establishing of a board of health, and conferring upon it all the privileges, powers and authority required to enable it to discharge the duties which shall be assigned to it, or to acquire all useful information as to the course or the general effects of contagious and epidemic diseases; and to the making of such regulations as such board of health may deem necessary for preserving the citizens of the said town from the inroads of any contagious or epidemic disease, or for diminishing the effects or the danger thereof ; Board of health.

5. To the appointing of a competent person, for the inspection of meat and of milk which shall be sold or offered for sale in the said town, and conferring upon him the power of confiscating all meat and all milk which is not of the best quality, or which might be an unhealthy article of food or injurious to the public health. And the council may, by by-law, impose a penalty of a fine and imprisonment in default of payment of such fine, upon any person selling or offering for sale in the said town such unwholesome or bad meat or milk ; Inspection of meat and milk. Penalty for selling unwholesome meat. &c.

6. To the paying, out of the funds of the said town, of all such outlay as the said council may deem necessary for Fire engines, &c.

the purchase of fire-engines or any other apparatus designed for the same use, or for adopting such means as shall seem to it most effectual for preventing such accidents by fire, or for stopping the progress of fire ;

Inquiries
respecting
fires.

7. To the making, authorizing or causing to be made, after every fire in the said town, an inquiry in relation to the origin and causes of such fire ; and to this end, the said council, or any committee, authorized by it to that effect, may summon witnesses and compel them to appear, and may examine them on oath, which oath shall be administered by any member of the council or of such committee ; and may also deliver over to be imprisoned in the common gaol of the district, any person against whom well grounded causes of suspicion may be found of his having maliciously originated such fire ; and the coroner shall make such inquiries only after the refusal of the town-council to do so ;

Persons
wounded at
fires.

8. To the defraying, out of the funds of the said town, of any expenditure which the said council may deem it right to make in aiding or assisting any person employed by it, who shall have received any wound or contracted any serious illness at a fire in the said town, or in aiding or assisting the families of any of the persons so employed who shall have lost their lives at a fire, or in giving or distributing rewards, in money or otherwise, to those who shall have been particularly useful or zealous at any fire in the said town ;

Purchasing,
&c., of pro-
perty.

9. To the purchasing and renting of property either movable or immovable for the use of the town, and to the selling and disposing of them ;

Erecting, &c.,
buildings.

10. To the constructing or repairing of every building, which the said town shall require within the limits of the powers of the said council ;

Deposit of
moneys.

11. To the depositing of the moneys belonging to the town council, or the investing of the same at interest in an incorporated bank or in the public funds of the Province ;

Remuneration
of officers.

12. To the remunerating of its officers, over and above the fees, penalties and commission they may have the right to receive by virtue of this act ;

Security from
officers, &c.

13. To the requiring, in all cases not specially provided for by law, security from all persons accountable for money due to the corporation of the said town, and from any persons who may contract with the council or its officers, in such manner and for such an amount as the council shall judge proper ;

Inspection of
maps, &c., by
town officers.

14. To the obliging of any person who has in his possession any maps, plans, titles, writings or other documents relative to any road, street, lane, public place or other pro-

perty in the said town, to give communication thereof to the said council, or to any of its officers, and to permit such officer, or other person appointed for that purpose by the council of the said town, to take a copy thereof;

15. To the maintaining or assisting of the infirm, aged, poor and destitute persons unable to earn their living;

Maintenance of aged and infirm persons. Macadamizing roads.

16. To the macadamizing, gravelling or planking of any street or part of street;

17. To the opening, enclosing and maintaining at the expense of the town, such squares, parks or public places, as may be conducive to the health or convenience of the inhabitants; to the ornamenting of the same by planting trees therein or otherwise, and causing trees to be planted along any sidewalks or foot-path, at the expense of the town;

Public squares. &c.

18. To the annual examination and revision of the valuation roll;

Examination of valuation roll.

19. To the abolishing any market or market-place, existing in the said town, and devoting the whole or any part of such market-place to any other public purpose;

Abolishing market &c. ;

20. To the exemption from taxation of manufactories that are now or may hereafter be established in the said town.

Exempt from taxation.

91. The council may also, any law to the contrary notwithstanding, for the purpose of encouraging the establishment of manufactories, and assuring their continuance in the town of St. Johns, grant, by by-law, to certain manufactories, loans in money, bonuses or gratuities in money or in real estate, under such conditions as it may deem proper, but such by-law shall only have force and effect when it shall have been approved by two-thirds of the freehold proprietors of the town who shall have voted on the by-law, provided that such two-thirds represent the majority in number of the freehold proprietors and at least one-half of the total value of taxable real estate in the municipality.

By law to encourage manufacturers &c.

And the said by-law shall be submitted for the approval of the electors in the manner prescribed by section 110 of this act, *mutatis mutandis*, but no person, having a share or an interest in the manufacture to be benefitted by such by-law, shall vote in favor thereof.

To be submitted for approval.

92. The said town council may, by a resolution passed to that effect, cause to be pulled down, demolished and removed, when judged necessary, all old or dilapidated walls, chimneys and dangerous buildings of any description that may be in a state of ruin, and may determine the time and manner in which the same

Removal of old walls &c.

shall be pulled down, demolished and removed, and by whom the expense thereof shall be borne; and, in case the party whose duty it is to pull down, demolish or remove any such old or dilapidated walls, chimneys or dangerous buildings, which the council shall have so ordered to be demolished, shall neglect to comply with such order, within the delay specified in the said resolution of the council, the latter may cause it to be done, and sue for and recover the expense thereof, before any court of competent jurisdiction.

Resignation of
mayor &c.

93. It shall be lawful for the said town council to accept, at any time, the resignation of the mayor or any councillor.

Inspector to
notify parties
encroaching.

94. It shall be lawful for the said town council to order the inspector of the said town to notify those who may have made, or who shall hereafter make encroachments on the streets or public places of the said town, by houses, fences, buildings or obstructions of any kind, to remove such encroachments or obstructions, allowing a reasonable delay, which shall be specified by the said town inspector in his notice; and if such persons have not removed such encroachments or obstructions in the time specified, the council may order the said inspector to remove such encroachments or obstructions, taking with him sufficient assistance; and the said council may allow the said inspector his reasonable outlay, and recover the same from such persons who shall have made such encroachments or obstruction.

Construction
and repair of
drains.

95. The council of the town of St. Johns shall also have power to order the construction or repair of any drain, in any public street or highway and the costs and expenses incurred in constructing or repairing such drain shall be payable, one third by the corporation and the two other thirds by the proprietors of real estate on such street or highway through which such sewer or drain shall pass.

Proviso.

If, however, such drain is more than two feet in diameter, the corporation shall alone bear the expense, over and above such two feet, incurred in the construction of such drain.

Duty of secy.-
treas. with
respect to
assessment for
such drains &c.

96. The secretary-treasurer shall himself, make the assessment and apportionment of the cost of constructing or repairing such drains, so soon as the accounts therefor shall have been sent in and approved by the council, and, in making such assessment and apportionment, the secretary-treasurer shall only be bound to consider the number of feet of ground owned by each proprietor on either side

of the street or highway through which such drain shall pass, without any regard being had to the depth of the lot or its value or whether it be vacant or built upon ;

And the secretary-treasurer may make use of the official plan and book of reference of the town of St. Johns in order to ascertain the number of feet of ground owned by each proprietor, upon such street or highway through which such drain passes ;

Manner of making.

When the assessment and apportionment shall have been made, the secretary-treasurer shall give notice thereof in writing to each proprietor assessed, and shall indicate the total cost of the drain, its diameter, its length and the amount to be paid by each proprietor, and notice shall, at the same time, be given them of the date and hour at which such assessment and apportionment shall be homologated by the town council, and on the day fixed, the council shall, by resolution, sanction and homologate such assessment and apportionment and may also make such amendments thereto as it may deem advisable ;

Notice thereof.

The parties interested shall have a right to be heard, but the decision of the council shall be final ;

Right to be heard.

Fifteen days after the homologation of such assessment and apportionment by the council, the amount payable by the proprietors shall be due and exigible, and the secretary-treasurer shall collect the same, and may sue for the recovery thereof, in the name of the corporation, by a suit before the circuit court. And in the event of the proprietor assessed being absent from the town, the person occupying the land, under any title whatsoever, shall be obliged to pay such assessment in the same manner as the proprietor himself.

When assessment exigible.

Proviso : In case of absentee.

97. The two preceding sections shall apply to public drains, constructed before the passing of this act, and the secretary-treasurer may, at any time, make the assessment and apportionment of such drains, in the manner hereinabove set forth, and fifteen days after the homologation by the council of such assessment and apportionment, the unpaid portion of the amount to be contributed by the proprietors shall be due and exigible, and may be recovered as aforesaid.

Application of sections 95 and 96.

Sections 95 and 96 of this act shall specially apply to the public drains constructed in Richelieu, Jacques-Cartier, St. Charles, St. James and Champlain streets, and to the other drains in the said town, and the assessment and apportionment thereof shall be made as if they had been constructed under this act.

The same.

98. Sections 3 (with the exception of sub-section 8 as to the word "councillor") 5, 6, 7, 8, 9, 10, 11, 12, 13, 28, 29,

Application of certain sections.

of 40 V. c. 29. 30, 31, 32, 33, 34, the two first sub-sections of 39, and sections 40, 41, 43, 44, 45, 49, 71, 81, 124, 125, 143, 145, 160, 161, 162, 163, 168, 171, 173, 174, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 195, 196, 198, 200, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, (and the sections therein mentioned for the purposes of such section), 219, 220, 221, 222, 223 in so far as it relates to, sections 227, 229, 231, 232, in so far as it relates to section 229, 326, 327, 328, 329, 337, 338, 355, 363, 364, 365, 368, 370, 371, 373, 377, 379, as to that portion which may apply to the special act, 380, 382, 383, 384, 389, 391, 392, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439 and 440 of the Town Corporations' General Clauses' Act, (40 Victoria, chapter 29), in so far as they are not inconsistent with the provisions of this act shall form part thereof; and all other sections of the said act, 40 Victoria, chapter 29, shall be excluded therefrom.

Collection of
assessments.

99. The secretary-treasurer, when he shall have completed his collection roll, which shall be made upon the assessment rolls in force under this act and the by-laws of the said town of St. Johns, shall proceed to collect the rates therein mentioned, and for that purpose shall give or cause public notice to be given, on the following Sunday, or in the newspapers, that the collection-roll is completed and deposited in his office, and that all persons therein mentioned, liable to the payment of assessments, are required by him to pay the amount thereof at his office, within twenty days following the publication of the said notice; and in default of payment, within the delay aforesaid, the said assessments shall bear interest from the date of their maturity.

Notice in case
of non-pay-
ment.

100. If, at the expiration of the said twenty days, there shall be any arrears of assessment, the secretary-treasurer shall leave, at the ordinary place of residence or domicile of each person so in arrear, or serve on each person in arrear, personally, a statement of the total amount of assessments due by such person in arrear, and, at the same time, and by a notice annexed to the said statement, he shall demand the payment of the assessments therein mentioned, together with the expenses of the service of the notice, according to such tariff as the council shall have decided upon;

Distress in
default of pay-

101. If any person neglects to pay the amount of assessments imposed upon him, and which are mentioned on the

collection roll, made as aforesaid upon the valuation roll, for a period of fifteen days, after he shall have been requested to do so as aforesaid, the secretary-treasurer shall levy the said assessments, with costs, by a warrant under the hand of the mayor, authorizing the seizure and sale of the goods and chattles of the person levied upon to pay such taxes, or of the goods and chattels in his possession, wherever they shall be found, within the limits of the said town, addressed to one of the sworn bailiffs of the Superior court for the district of Iberville, in the province of Quebec, who is hereby authorized to seize and sell the said goods and chattels in the ordinary manner, after notice given on Sunday, at the church door, at the issue of divine service in the morning, at least eight days' before such sale. The bailiff, entrusted with such warrant, may transfer the effects seized to the public square, in order to sell them there, if he thinks proper. And no claim founded on a right of ownership or privilege upon the same shall prevent the sale or the payment of the assessments and expenses out of the proceeds of such sale. The said warrant may also be under the hand of the pro-mayor, or of a justice of the peace, residing in the said town, and shall, in such cases, have the same effect as if it had been signed by the mayor. And the provisions of article 970 of the municipal code of this Province shall apply to such seizures; the said article being deemed to form part of the present section, *mutatis mutandis*.

ment after notice.

Proceedings thereunder.

Article 970 of municipal code to apply.

TAVERN LICENSES, ETC.

102. The council shall have power to fix the rates for certificates of licenses for taverns, houses of public entertainment, restaurants, temperance-hotels or other establishments, in which liquor is sold in quantities less than a half-pint, at a sum not exceeding one hundred dollars, and for a wholesale liquor store, at a sum not exceeding twenty-five dollars.

Certificates for tavern licenses

103. No petition, for the purpose of obtaining a certificate to keep a tavern, house of public entertainment, restaurant, temperance-hotel or other establishment, in which liquor is sold in quantities less than a half-pint, shall be granted by the council, after the general meeting in April.

Petitions therefor—when to be allowed.

104. Within the eight days preceding the meeting above mentioned, the secretary-treasurer shall publish in two newspapers, one published in the French and the other in the English language in the said town, a list of

Notice of meeting.

the persons applying for a certificate to keep a tavern, house of public entertainment, restaurant, temperance hotel or other establishment, in which liquor is sold in quantities less than a half pint; he shall, at the same time, notify the public that they are to make their objections, if they have any, against the granting of certificates to the applicants.

Proviso :

The previous provisions shall have no effect with respect to transfers of licenses.

Council alone
to have right
to grant cer-
tificates.

105. From and after the passing of this act, the said council shall alone have the right to grant certificates for the obtaining of licenses for taverns, temperance-hotels, restaurants, railway-refreshment-rooms, liquor stores and generally of all places in which it is intended to sell, by retail, spirituous or fermented liquors, any law or custom to the contrary notwithstanding; and such certificates shall be signed by the mayor and the secretary-treasurer of the said council, and sealed with the common seal of the said council. And the license inspector shall not grant any of the licenses, mentioned in the present section, without such certificate from the council, even when there shall only be a question of renewal of a license, and the application shall be made for the same premises.

License ins-
pector not to
grant license
without certi-
ficate.

Power to remit
taxes to poor
persons.

106. The said council shall have power to remit to poor persons in the said town, who shall have been taxed under the present act, the whole or a portion of their assessments, in certain cases of loss by fire, long illness, or for any cause which the council may deem reasonable and sufficient.

Penalty upon
officer neglect-
ing duties.

107. Every officer of the town council, who shall neglect or refuse to perform any duty, assigned to him by this act, or to comply with any lawful order of the town council, shall be liable, for each offence, to a fine which shall not exceed five dollars.

By-laws not to
have effect
until publish-
ed.

108. Before any by-law of the said town council can have any effect and be binding, it shall be published in French and in English, in at least two newspapers published in the said town, one of which shall be in English and the other in French, and any copy of a newspaper containing such by-law shall be, to all intents and purposes whatsoever, *prima facie* evidence of such publication.

Copy of by-
law, certified
by secretary-
treasurer, au-
thentic.

Every copy or duplicate of a by-law, certified by the secretary-treasurer to be in force, shall be accepted as full and complete proof before any court of justice, and such by-law shall be considered as having been duly passed and published.

109. The town council may, from time to time borrow, Council may borrow money. divers sums of money under the powers conferred upon it, or upon the corporation of the said town of St. Johns, and for such purposes as the council shall deem expedient; but whenever the said council shall contract loans upon the credit of the said town, they shall be bound, and they are hereby required, to provide immediately for the payment of the annual interest on such loans, which annual interest shall not, in any case, exceed seven per cent; and the said council shall set apart a portion of its revenues for the payment of such interest; and the said council shall also, whenever it shall contract a loan, provide out of its revenues, a sinking fund, which sinking fund may consist Sinking fund either in a deposit, made annually into an incorporated bank, having a paid-up capital of at least one million dollars, or may be paid over to the holders of the bonds of the corporation, which bonds may contain a proviso to that effect, and paid at the dates when the interest on the loans shall be paid, of a sum equal to a proportion of, at least, two per cent of the capital to be redeemed; and the sum annually produced by such sinking fund, as the case may be, shall remain deposited in such bank, together with the interest which shall accrue thereon, until they shall have reached the amount of the capital to be redeemed.

It shall be lawful for the council of the town of St. Johns, Conversion of Sinking fund. with the consent of the holder or holders of the bonds of the council of St. Johns, to convert the whole or any portion of the sums deposited as sinking fund, into bonds of the Dominion of Canada or of any of the provinces composing the same, provided that such bonds of the Dominion or of any of the provinces composing the same, shall not bear interest at less than five per cent per annum;

And provided also that it shall be lawful for the said Proviso: town-council to call in its bonds or debentures of any kind whatsoever, when it shall be in a position to do so, with advantage to the corporation of the town of St. Johns; in such case the interest on such bonds or debentures shall cease to run within two months from the date of the publication of the calling in, any provision to the contrary notwithstanding.

110. No by-law or resolution of the council for the purpose of effecting loans, increasing the public debt of the town, shall have force and effect, until it shall have been By-law increasing debt, &c., approved by electors. approved by the majority in number and in value of the freehold proprietors of the said town, owning the assessed property therein, and who shall have given their vote in the manner hereinafter set forth, within thirty days from the passing of such by-law; such approval shall be expressed Manner of proceeding.

at a general meeting presided over by the mayor, or in his absence, by the senior councillor, or by the pro-mayor of the said town, the secretary-treasurer acting as secretary, and duly convened by notices signed by the mayor or secretary-treasurer, published and posted up in the manner prescribed for the publication and posting up of the public notices, required by the provisions of this act, for the publication of by-laws ;

Proviso :

Provided always that any six municipal electors, qualified to vote on such by-laws and present at such meeting, may require the holding of a poll to establish such majority ; and the holding of a poll shall be granted upon such application, by the mayor, or in his absence by the councillor presiding or the pro-mayor, and shall take place within the four days immediately following such meeting, the secretary-treasurer acting as poll-clerk under the direction of the mayor, of the councillor presiding, or of the pro-mayor, as the case may be ;

Voting.

Each proprietor shall present himself in his turn, and shall vote by saying "yes" or "no" : the word "no" meaning that he disapproves of such by-law, and the word "yes" that he approves of it ; but no person's vote shall be entered, unless his name is inscribed on the assessment roll of real-estate owners ;

Proviso :

Provided always that such poll shall be held during one day, which shall be a juridical day, from nine of the clock in the forenoon until five in the afternoon ;

Duty of mayor
after close of
poll—to report
to council.

At the close of the poll, the mayor or pro-mayor or councillor presiding, as the case may be, shall count the "yeas" and "noes" and, within the four following days, he shall submit to the town-council a statement shewing the value of the immovable property owned by each of the voters, according to the valuation roll then in force, and which shall alone be used to establish the value of such immovable property, and shall certify, for the information of the town council, whether the majority in number and in value of the freehold proprietors owning real estate in the said town, who have voted on such by-law, approve or disapprove of the same ;

Certificate to
be deposited in
archives of
council.

The said certificate shall be countersigned by the secretary-treasurer of the town, and shall be by him preserved with the poll-list and the said statement, amongst the records of his office, and if the said by-law is approved, as aforesaid, such by-law shall have full force and effect.

NON-TAXABLE REAL ESTATE.

Exemption
from taxation.

§ 111. The following property shall be exempt from taxation in the town of St. Johns :

1. All lands and properties belonging to Her Majesty, Property belonging to Her Majesty. Her heirs and successors, held by any public body or officer, or by any person for the use of Her Majesty, Her heirs and successors;

2. Every place of public worship, presbytery and appur- Churches &c. tenance, and every burying-ground;

3. Every public school-house, and the ground upon School-houses &c. which it is built;

4. All buildings, grounds and properties occupied by Hospitals &c. hospitals or other charitable establishments;

5. Every educational establishment or institution, as well Educational institution &c. as the ground upon which it is built;

6. Every court-house or gaol of the district, with all the Court-house &c. grounds belonging thereto;

Provided such exemption does not extend to the lots or Proviso. buildings, erected upon lots leased to and occupied by tenants under government, or the Ordnance lands' department in the said town; and such lands belonging to the government or to the Ordnance lands' department, occupied by tenants, shall be valued and assessed in the same manner as other real estate in the said town, and the assessments shall be paid by the said tenants or occupants.

PRIVILEGES WITH RESPECT TO DEBTS DUE THE CORPORATION.

112. All debts due to the said town council or which shall Privileges of debts due to corporation. hereafter be due to the said town for taxes or assessments imposed upon movable or immovable property, upon industries, trades, professions, qualities or arts whatsoever in the said town, shall be privileged debts, and shall be paid in preference to all others and shall, in case of distribution of moneys, be allotted to the said town council in preference to all other creditors; provided that such privilege shall have full and entire effect, without its being necessary that it be registered, and such debts shall be prescribed in five Prescription. years.

FRAUDS.

113. From and after the passing of the present act, any proprietor or agent who shall wilfully grant a certificate Fraudulent certificate or receipt &c. or receipt, setting forth a less sum than the rent really paid for the premises therein mentioned, or referred to, and every tenant who shall present to the assessors of the said town such a receipt or certificate, falsely representing the value of the rent, paid by such tenant, in order to procure a diminution or abatement of his assessment, or who shall directly or indirectly deceive such assessors as to the value

of such rent, occupation, employment, or as to the quality of such person, or the number of taxable effects, dogs or animals, shall be liable, on conviction thereof, before the mayor or one or more justices of the peace, to a fine not exceeding twenty dollars, including costs, or to imprisonment not exceeding one calendar month, according to the judgment of such mayor or justice of the peace.

EXPROPRIATION.

Encroaching
buildings not
to be rebuilt.

114. The said council shall have power, whenever any house or building whatever shall encroach upon the line of any street or public square in the said town, to prevent the owner of such house from rebuilding it on the site occupied by the demolished house, and it shall be lawful for the council to purchase such portion of such lot encroaching upon such street or public square; and upon the refusal of such proprietor to sell or to appoint an arbitrator to value the land in question with the arbitrator of the council, the council may take possession of such lot or portion thereof, by observing the formalities set forth in section 116 of the present act.

Council may
acquire all real
estate &c., ne-
cessary for
certain
purposes.

115. The town council shall have full and unlimited power to purchase and acquire, out of the revenues of the said town, all such lands and real estate whatsoever in the said town, which it may deem necessary for the opening, enlargement or extension of any street, lane, public square or market place, or for the erection of any public building, or generally for any object of public utility of any nature whatsoever.

Arbitration in
cases of dis-
agreement as
to the value of
property taken
for certain
purposes.

116. When the proprietor of a lot, which the said council shall be desirous of purchasing for any object of public utility whatsoever, shall refuse to sell the same by private agreement, at the price fixed by the council, or when such proprietor shall be absent from the province or when such land shall belong to minors, issue unborn, insane persons or *femes covert* or shall be substituted property, the said council may apply to the circuit court for the district of Iberville, or to any other court, for the appointment of an arbitrator by the said court, to proceed to value such property jointly with the arbitrator appointed and selected by the said council; and the said arbitrators may appoint a third, if they do not agree; and when the said arbitrators shall have made their report to the office of the court to which the council shall have applied as aforesaid, and when such report shall have been adopted, it shall be lawful for the said council to take possession of such

land, by depositing the sum, at which it shall have been valued by the arbitrators, in the hands of the prothonotary of the Superior court for the district of Iberville, for the use of the person entitled thereto; and if such person, who is entitled to such indemnity, does not, within six months from the date of the deposit in the hands of the prothonotary, claim the sum so deposited, it shall thereupon be lawful for the said prothonotary, and he is hereby required so to do, to return the said sum to the secretary-treasurer of the said council, to be placed amongst the funds of the said town; the said sum shall bear interest at the rate of six per cent, and shall be payable by the said council, to any person entitled thereto, both principal and interest, within three months after the regular notice to pay such sum shall have been given to the secretary-treasurer of the said town.

The said arbitrators, appointed as aforesaid, shall be ^{Penalty upon arbitrator refusing to act.} bound to accept and perform the duties mentioned in this section, under penalty of a fine of fifty dollars.

INFRINGEMENT OF THE BY-LAWS.

117. If any person infringes any by-law passed by the town council, under the present act, or the acts hereby repealed, or places himself in opposition to any of the provisions of the present act, imposing a penalty for such infringement, such person shall, for each such offence, be liable to fine and imprisonment in default of payment of such fine, as specified in any of the said by-laws or provisions of the present act, with the costs allowed by the justice or justices of the peace who shall try such offences, according to the tariff then in force, for the fees of the officers of such justices of the peace; and such fine and costs shall be levied upon the goods and chattels of the delinquents, under a warrant signed by a justice of the peace, which warrant shall be executed in accordance with the formalities prescribed by the present act for the seizure and sale of goods and chattels for taxes mentioned in the assessment-roll. ^{Penalties for infringing by-laws.}

118. Every information or complaint for infringement of any by-law of the said town council, or of any provision of the present act, imposing a penalty for such infringement, shall be made or brought within three months after the offence has been committed, or within three months after the council shall have had cognizance thereof. ^{Prescription of complaints, &c.}

119. The sheriff and the gaoler of the district of Iberville shall be bound, and they are hereby required, and ^{Duties of sheriff and}

gaoler of Iber-
ville district.

power is hereby given them, to receive and detain in safe custody, until duly discharged, any person condemned to be imprisoned under this act or under any by-law passed by the said town council, under the present act or the acts hereby repealed, and also any other person entrusted to the custody of the said sheriff or gaoler, by the said town council or by any of its officers, authorized by it or by the person presiding at the municipal elections.

SUMMARY ARREST.

Summary
arrest in cer-
tain cases.

120. It shall be lawful for every member of the town council, individually, to order the immediate arrest of any person who is drunk or disorderly, or any riotous person, whom he may find disturbing the peace within the limits of the town, and to have such person confined in the common gaol of the district, or in any other place of detention, in order to the safe-keeping of such person, until he shall be brought before the mayor or a justice of the peace, to be dealt with according to law.

Constable may
arrest distur-
bers of public
peace.

121. It shall be lawful for any constable or bailiff, residing in the town of St. Johns, to apprehend and arrest all persons whom he shall find disturbing the public peace, within the limits of the said town, and also every person who shall be found sleeping in any field, vacant lot, highway, yard or other place, or who shall be found loitering or idling in any such place, and shall not give satisfactory reasons for his conduct; and every such constable or bailiff shall deliver such person into the charge of the gaoler, in charge of the gaol or other place of detention, in order to the safe keeping of the said person, until he shall be brought before the mayor or any other magistrate, to be dealt with according to law.

Resisting con-
stable, &c.

122. Every person who shall assault, beat or forcibly resist any constable or peace officer, appointed under this act, and engaged in the execution of his duty, or who shall aid or incite any person to assault, beat or forcibly resist such officer or constable or bailiff, and residing in the said town of St. Johns, or any other person, shall, upon conviction thereof, before the mayor or a justice of the peace, be liable to a fine of from four to forty dollars, and to imprisonment, in default of payment of such fine, not exceeding two calendar months, notwithstanding any provisions to the contrary, in the present act.

LIMITATIONS.

Prescriptions
of suits under
this act.

123. If any action or suit be brought against any person, for any matter or thing done in consequence of

or in executing the present act, such action or suit shall be brought within four calendar months after the fact has occurred, or within four months after the council has had cognizance thereof.

GENERAL PROVISIONS.

124. It shall be lawful for the town council to impose, Council may impose fines &c. in certain cases. for infringements of certain by-laws, a penalty of a fine or imprisonment, for every day that a person shall infringe the provisions of such by-law; provided that such fine or penalty shall not exceed the sum of ten dollars for every day of such infringement, and provided also that the imprisonment shall not exceed ten days for every day such infringement shall last. Proviso :

125. The town council shall have power, in order to secure the execution of its by-laws, to impose penalties Council may impose fines &c., in certain cases. for each infringement of such by-laws, by a fine not exceeding thirty dollars, and imprisonment, in default of payment of such fine for a period not exceeding three calendar months; but in the body of such by-law the amount of such fine and the period of such imprisonment, if ordered, shall be mentioned. Proviso :

126 Every person, of the full age of majority, residing in the town of St. Johns, shall have the right to bring Who may bring suits. any suit authorized by the present act, or the by-laws of the town council.

All such actions may also be taken by the mayor and council of the town of St. Johns.

127. All the fines and penalties, imposed under the present act, or any by-law, passed by the council of the town of St. Johns, shall be recovered for the use of the said town council, and shall form part of its funds; and it shall be lawful for the said council of the said town of St. Johns to remit such fine or penalty as it may deem proper. Fines to be recovered for the use of the city. Council may remit fines &c.

And the secretary-treasurer is hereby authorized to accept payment of each such fine and penalty, or to fix the maximum of such penalty imposed either by the present act or by the by-laws of the said council, and all the costs incurred by the parties, without waiting for the decision of the court, or before any suit brought.

128. All fines and penalties, recovered under the present act, shall be paid into the hands of the secretary-treasurer of the said town council, and the proceeds of all licenses, Fines to be paid to secretary treasurer.

granted under the present act, shall form part of the funds of the said town, any law to the contrary notwithstanding.

Provision if
assessments
&c. are once
paid.

129. All assessments and taxes, derived from any source whatsoever, and all contributions towards the cost of constructing or repairing any drain, when once paid to the corporation, cannot be re-demanded for any illegality, informality or nullity of the by-laws, assessment-rolls, collection-rolls or apportionments, in virtue of which such taxes, assessments or sums were paid.

Penalty for
voting when
not qualified.

130. Every person, who shall vote at an election of mayor or councillor, without having, when he shall vote at such election, the qualification required by law to entitle him to vote thereat, shall thereby incur a penalty not exceeding thirty dollars, or imprisonment, in default of payment, not exceeding three calendar months.

Penalty for
damaging
advertisement
&c.

131 Every person, who shall wilfully tear, damage, or deface an advertisement, notice or other document ordered, by this act, or by any by-law or order of the said council, to be posted up in a public place for the information of interested parties, shall, for such offence, incur a penalty not exceeding eight dollars, or imprisonment not exceeding fifteen days, in default of payment.

Fines recover-
able before
what court.

132. All fines or penalties, imposed by this act, or by any by-law passed by the said council, shall be recoverable before the circuit court for the district of Iberville, or before any justice of the peace residing in the said town ; all penalties or fines, incurred by the same person, may be included in the same suit, and in each such suit, the losing party shall be condemned to pay the costs and expenses of such court.

French version
of act to pre-
vail in case of
discrepancy.

133. In case of a variance between the English and French versions of the present act, the French version shall be adopted in preference to the English version.

Public notice
how given.

134. Every public notice, required for the carrying out of this act, shall be given in the manner indicated in section 9 of the first part of the act, 40 Victoria, chapter 29, intituled : " The Town Corporations' General Clauses' Act," when the special manner of giving such notices is not set forth in this act.

Interp. acts
apply to this
act.
Act in force.

135. The interpretation act or acts, of the province of Quebec, shall apply to the present act, which shall come into force on the day of its sanction.