

C A P . L V I .

An Act to amend the act to incorporate the city of Hull, 38 Vict., chap. 79, and the act 39 Vict., chap. 49, amending the said act.

[Assented to 31st October, 1879.]

Pre mble.:

WHEREAS the corporation of the city of Hull has by petition, represented that it is necessary, in the interest of the citizens of the said city, to obtain certain amendments to its act of incorporation and the act amending the same, and to introduce certain alterations, for the better administration of its municipal affairs; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 6 of 28 V.
c. 79,
amended.

1. Section 6 of the act 38 Vict., chap. 79, is hereby amended by adding after the word : "possessed," in the fourth line, the words : "as proprietor ;" and by adding at the end of the said section, the following words : "which said real estate shall consist of buildings or of lots of land. On demand made before the council by a member of the council or by a rate-payer, with respect to the qualification as to property of any alderman present, such alderman shall, within fifteen days of such demand, give in writing and under oath, a declaration of qualification, containing the description of the real estate on which he bases his qualification and deposit it in the office of the council ; and in default of his so doing, his seat shall *ipso facto* become vacant."

S. 7, amended

2. Section 7 of the act 38 Vict., chap. 19, is amended by adding between the words : "years" and "nor," in the fourth line thereof, the words : "nor unless he can read and write."

S. 11 of 38 V.
c. 79 & S. 3
of 39 V. c.
49, repealed.
Date of elec-
tions.

3. Section 11 of the act 38 Vict., chap. 79, and section 3 of the act 39 Vict., chap. 49, are hereby repealed and the following provisions are substituted therefor :

"**a.** The municipal elections of the said city of Hull, shall take place on the second Monday of January in each year, and public notice of the said elections shall be given at least ten days before the nomination, and seventeen days before the polling day, by means of notices in French and in English which shall be posted

up at the door of the churches, and in the markets of the said city, and read at the door of the Roman Catholic Church in the said city, at the issue of divine service, in the morning of the Sunday preceding the nomination day and of the Sunday preceding the polling day.

b. The nomination of candidates for the office of ^{Nomination} aldermen, shall take place at the city hall of the ^{of aldermen.} city of Hull, at ten o'clock in the forenoon, and shall be closed at noon, on the day fixed by the public notices given in the manner hereinbefore mentioned for such nomination, during which time the officer presiding at such election, shall nominate for the office of alderman in each ward respectively, all the persons nominated in writing, by at least five electors; and if, at the close of the nomination, only as many candidates as there are aldermen to elect, for each ward, have been nominated, the election is pronounced closed, and the presiding officer declares elected as aldermen, the candidates who have been so nominated.

c. If, at the close of the meeting, more candidates ^{Voting} have been nominated in any ward than there are aldermen to be elected, then the voting shall take place at the time and in the manner provided by the notices which shall have been given.

d. Sections 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204 and 205 of the Quebec Election Act, shall apply to the election of the aldermen of the said city of Hull, but the words: "the president of the election," shall be substituted for the words: "the returning officer," and the words: "the president of the poll," or "the deputy," shall be substituted for the words: "the deputy returning officer," whenever the said words so to be replaced, occur in said sections, and the words: "list of electors," in the first paragraph of the oath contained in section 167 of the Quebec Election Act, shall be replaced by the words: "assessment roll," or certified extract of the assessment roll, (as the case may be.) ^{S. 157 and others of election act, to apply.}

e. Whenever, in any one of the wards of the said city of Hull, the number of municipal electors shall exceed three hundred, it shall be the duty of the Council of the said city, at least one month before the day of polling, by a resolution passed to that effect, at one of its sittings, to sub-divide such ward into polling districts, ^{Sub-division of wards into districts in certain cases.}

so that there shall not be more than three hundred electors in each polling district.

S. 15 of 38

V. c. 79,

repealed.

S. 19 of 38 V.

c. 79,

amended.

4. Section 15 of the act 38 Vict., chap. 79 is repealed.

5. Section 19 of the act 38 Vict., chap. 79, is amended by adding to the end thereof, the following words: "and shall have the right to appoint and shall appoint as many deputies to represent him as there may be polling districts."

S. 28 of said

act, repealed

and replaced.

E. refusal to act

as alderman.

6. Section 28 of the said act 38 Vict., chap. 79, is repealed, and the following substituted therefor:

"28. In case any person elected alderman, shall refuse to act as such, or if his election, after having been contested, shall be declared null, or if he resign his office, the Council of the said city shall appoint a day for a new election, and public notice thereof shall be given according to section 3 of this act, and the electors of the said city shall proceed to the election of a person to replace such alderman, within one month after such refusal or resignation shall have been made public, or after such election shall have been annulled; and the proceedings in such elections, shall be the same as in annual elections."

S. 37 of said

act, amended.

7. Section 37 of the act 38 Vict., chap. 79, is amended by striking out the words: "first class," in the thirty first line, and by substituting therefor the following words: "of the class immediately below the sum of one hundred dollars."

S. 44,

amended.

8. Section 44 of the act 38 Vict., chap. 79, is amended by striking out the words: "next preceding section," in the second line thereof, and replacing them by the words: "four preceding sections."

S. 119,

amended.

9. Section 119 of the act 38 Vict., chap. 79 of the said act, is amended by striking out, in the sixth and seventh lines, the words: "and by notices in nearest published journal in French and in English."

S. 165,

amended.

10. Section 165 of the act 38 Vict., chap. 79, is amended by striking out, in the twentieth and twenty first lines, the words: "which costs shall not include any attorney's fees."

S. 218,

amended.

11. Section 218 of the act 38 Vict., chap. 79, is amended by adding, at the end of the said section, the following words: "in all cases which shall be instituted before the

Recorder's Court, respecting civil matters, the costs of attorneys or solicitors, shall be the same as those payable in the circuit court for the same amount."

12. The council of the said city of Hull shall have the right to make a by-law to abolish the Recorder's Court of the city of Hull, which by-law shall only have force and effect when confirmed by the lieutenant governor in council, and promulgated by proclamation; and from and after the day fixed by the proclamation, the said court shall be abolished and cease to exist, and sections from 156 to 228 inclusively, and sections 234 and 236 of the act 38 Vict., chap 79, shall be repealed. Right to abolish Recorder's Court.

The records, registers, documents and archives of the said court, if it be abolished, shall be transmitted without delay, to the office of the clerk of the circuit court for the district of Ottawa, and shall form part of the archives of the latter court; and all proceedings pending, and all judgments not executed in such Recorder's Court, when so abolished, may be continued and executed before or by such circuit court, as if they had been commenced before or had been rendered by it; but prescription and all delays incidental to procedure in every case pending before the said Recorder's Court, when it may be abolished, shall be suspended and shall cease to run from the day fixed for the abolition of the court, until the juridical day next ensuing after that in which the record shall have been deposited in the office of the said circuit court. Transmission of records.

13. The north half of lot number seven in the fourth range of the township of Hull shall, from and after the passing of this act, cease to form part of the said city of Hull, and shall thereupon form part of the municipality of the south part of the township of Hull, for municipal and other purposes; and section two of the act 38 Vict., chap, 79, is amended in the sense and to the effect aforesaid; provided always that the above lands shall be duly liable for the payment of the debts which are now recoverable and contracted by the corporation of the said city for public purposes, and shall contribute to the payment of such debts, in the proportion of their actual value as determined by the valuation roll now in force. Certain portions of township of Hull, detached.