

38. Sections 45 and 47 of said act of incorporation, are repealed. S. S. 45 and 47 of act of inc., repealed.

39. The original of every notice shall be accompanied by a certificate of publication or of service made by the party publishing or serving the same. Such certificate shall be under his oath of office, if such party be a municipal officer ; otherwise it must be under oath made before the mayor or a councillor of the said town. Formalities for original of notice.

The original of such notice and the certificate which accompanies it, shall be filed in the office of the council, by the person giving such notice, to form part of the municipal records.

40. Section 50 of said act of incorporation is repealed and the following substituted therefor : S. 50 of said act, repealed.

"50. All the powers conferred by the Town Corporations' General Clauses Act (40 Vict., chap. 29,) upon any town council and upon the mayor, councillors and officers of such town council, and not inconsistent with the act of incorporation and the present act, shall apply to the corporation and municipality of the town Salaberry of Valleyfield." Powers of T. C. G. C. Act, to apply to officers.

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

C A P. L X I I I .

An Act to amend the act to incorporate the Town of Nicolet

[Assented to 31st October, 1879.]

WHEREAS the mayor and council of the town of Nicolet, have by petition, prayed for certain amendments to its act of incorporation, passed in the 36th year of the reign of Her Majesty, Chap. 52, and it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows : Preamble.

1. The first section of the said act is amended by striking out the words : " the mayor and council of the town of Nicolet," and by substituting therefor the words : " the mayor and councillors of the town of Nicolet." S. 1 of 36 V. c. 52, amended.

S. 4,
amended.

2. Section 4 of the said act is amended by striking out sub-sections 1 and 2, and by replacing them by the following:

Qualification
of the mayor
and coun-
cillors

"No person shall be elected mayor or councillor, nor shall be competent to hold one or other of the said offices: 1o. Unless he be of the male sex, of full age of majority and a born or naturalized subject of Her Majesty; 2o. Unless he shall have had his domicile or place of business, in the town of Nicolet, during the twelve consecutive months of the year immediately preceding the election at which he is a candidate, and he shall know how to read and write; 3o. Unless he shall have held as proprietor, at least during the twelve consecutive months of the year immediately preceding the election, either in his own or in his wife's name, immoveable property valued at eight hundred dollars for the office of mayor, and three hundred dollars for that of councillor, according to the valuation roll then in force for the said town; and by inserting in the fifth line of subsection 3, after the word: "navy," the words: "nor hotel-keepers, license inspectors and their deputies, and persons licensed to sell intoxicating liquors in their stores."

S. 5,
amended.

3. Section 5 of the said act is amended by striking out the first subsection, and substituting the following in lieu thereof:

Qualification
of electors.

"1. The persons entitled to vote at the municipal elections of the town of Nicolet, shall be the male proprietors of the full age of twenty one years, having been in possession for twelve consecutive months previously, of real estate in the said town of Nicolet, of the value of one hundred dollars, and male tenants of the full age of twenty one years who shall have paid rent in the said town of not less than eighteen dollars per annum, for a house or part of a house, for twelve consecutive months of the year previous to the said election;

Provided always that no person qualified to vote at the municipal elections of the said town of Nicolet, shall have the right to have his vote enregistered, unless he shall have paid previously to the day of the election, his municipal taxes and assessments and school taxes accrued previous to such election, and unless his name be entered on the list of municipal electors then in force; and it shall be lawful for all candidates and for the officer presiding over such election, or his deputy, to require the production of receipts establishing the payment of such taxes or assessments as aforesaid."

§ 1 of S. 8,
amended.
Presiding

4. Sub-section 1 of section 8 is amended by inserting in the twelfth line thereof, after the word: "handwriting," the following words: "the presiding officer, at the

place, day and hour fixed for the election, after having opened the meeting, shall accept and nominate the persons whose names shall have been given to him, in writing, by at least three municipal electors of each ward as councillors to be elected in the said wards respectively, and if, within one hour after the opening of the meeting, one person only have been nominated for mayor, the presiding officer shall declare such person elected as mayor. The same shall hold for all persons to be elected as councillors for each of the several wards in the said town. If, within an hour after the opening of the meeting, more than one person shall have been and remain nominated for the office of mayor, or more persons than are requisite for election to the office of councillor, in one or more wards, be nominated, then it shall be the duty of the presiding officer to grant and order a poll for the election of the mayor, or of the councillors in one or more wards, as the case may be, and he shall, without delay, over his own signature, appoint a deputy returning officer for each ward in which a poll shall be held, each one of whom may appoint an assistant, and he shall be held responsible for the holding of the poll in the ward for which he shall have been appointed."

The said subsection is also amended by striking out, in the 13th, 14th, 15th and 16th lines thereof, after the word: "votes," the words: "from nine o'clock in the morning until four o'clock of the afternoon of the day fixed for such election," and by substituting therefor the following words: "on the same day after the hour of opening the meeting, and shall end at five o'clock of the afternoon of the same day," and by inserting in the twentieth line after the word: "poll," the following words:

"In all elections held after the present act, the poll-books containing the names of the voters and other matters shall be attested under oath by each of the deputies who shall have presided at such election, in the respective wards of the said town, each of such deputies attesting his own book, before the officer presiding at such election or any justice of the peace residing in the said town; and the said oath shall be in the following form, and shall be written in whole or in part, on the last page of the said poll-book containing the names of the electors:

"I, [A. B.] do swear that the poll-book kept by me at the municipal election for ward No. _____ of the town of Nicolet, is true and correct to the best of my knowledge and belief: So help me God."

And the poll-books so attested, shall be at once deposited in the hands of the officer presiding at such election who, after having established, in presence of the

candidates, the number of votes polled in favor of each ;” and by striking out in the twentieth line of the said section, the words : “ the presiding officer.”

Sub-s. 2 of said act, amended.
List of electors.

Sub-section 2 of the said section is repealed.

5. 22 of said act, amended.
List of electors.

5. Section 22 is amended by adding the following words, at the end thereof : “ the council shall order, every two years, the drawing up of municipal voters’ lists which shall be done in the first fifteen days of the month of November, which lists shall be made in accordance with the act of incorporation of the town of Nicolet, section 5, and according to the assessment roll then in force and revised, if it have been so revised, and such list shall be open in the office of the secretary-treasurer for the information of parties interested, during the last fifteen days of the same month, after which it shall be examined and corrected by the said council, if required, at its regular meeting on the first Monday of December following, and whosoever shall deem himself aggrieved by the insertion or omission of his name in or from the said list, may by himself, or by a person acting in his name, submit the fact, when such lists shall be examined by the council, which shall hear the complaints and the proof in support thereof under oath, and render justice to whom it shall appertain.”

6. 27,
repealed.

6. Section 27 is repealed.

8. 28 & 29,
repealed.

7. Sections 28 and 29 are repealed and sections 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 and 111 of the Town Corporations General Clauses Act (40 Vict., Chap. 29,) shall apply to the corporation or municipality of the town of Nicolet.

8. 40,
amended.

8. Section 40 is amended by inserting at the end of subsection 2, the words : “ and also to employ firemen, or to organize one or more fire companies on such terms as it may judge advisable.”

8. 48,
amended.

9. Section 48 is amended by adding, in the second line, after the word : “ act,” the words : “ after deducting the portion which the council may by by-law grant to the informers, and for other expenses incurred in the interest of the proper administration of the by-laws and of the maintenance of good order.”

8. 58,
amended.

10. Section 58 is amended by striking out in the eighth line thereof, the words : “ upon the said mayor and council,” and substituting therefor the words : “ the mayor and councillors of the town of Nicolet ;” and by

striking out in the ninth line, the word: "and," and the 10th, 11th, 12th, 13th and 14th lines thereof.

11. Section 62 is amended by inserting after the s 62, word: "inspector," wherever it occurs, the words: "or ^{amended.} other officers."

12. Sub-section 5 of section 67, is amended by insert- ^{S. 67, § 5, amended.} ing in the 2nd line thereof, after the word: "refuse," the words: "to accept such office, shall incur a penalty of eight dollars and every inspector or road officer who shall refuse."

13. Sections 50, 51, 56 and 57 are repealed, and sections ^{S. S 50, 51, 56 and 57, repealed and certain sec. of T. C. G. C. A., apply.} 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361 and 362 of the Town Corporations General Clauses Act, shall apply to the corporation or municipality of the town of Nicolet; but the council of the said town, shall nevertheless have the power to borrow, from time to time, for the purposes of the corporation, various sums of money not exceeding in the aggregate, at any time, the sum of one thousand dollars on a simple resolution and without its being necessary to obtain the approval of the municipal electors.

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

C A P . L X I V .

An act to incorporate the Seminary of Chicoutimi.

[Assented to 31st October, 1879.]

WHEREAS it has been represented by petition, that ^{Preamble,} there exists an establishment of superior education known by the name of the Seminary of Chicoutimi, in the parish of Chicoutimi in the county, district and township of Chicoutimi, and it is expedient to incorporate the said establishment; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. There is hereby constituted and established in the ^{Incorporation.} parish of Chicoutimi in the county, district and township of Chicoutimi, a body politic and corporate under the name of the "Seminary of Chicoutimi," which shall ^{Name.} be composed of his Lordship the Roman Catholic Bishop