

Certain processions, exempted.

4. Nothing in the present act shall extend to any procession of the clergy or of the faithful of any church or other communion or religious belief, which shall take place in the exercise of public worship, or to celebrate any religious ceremony ordained by any such church or other communion or religious belief or in obedience to the usages or discipline thereof, and in which the priests or ministers of such church or other communion or religious belief shall take part.

Time to proceed, limited.

5. All proceedings taken against any person for anything done in virtue of this act, must be taken within six calendar months following the case which has given rise thereto.

Act in force

6. This act shall come into force on the day of its sanction.

SCHEDULE A.

Schedule.

Our Sovereign Lady the Queen strictly enjoins and commands all persons assembled here, to disperse and to peaceably depart, under the penalties imposed by the act of the Legislature of the Province of Quebec, intituled : " An act for the suppression of party processions."

C A P . X .

An act to further amend the Municipal Code of the Province of Quebec.

[Assented to 20th July, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. 4, M. C., amended.

1. Article 4 is amended by adding thereto the following paragraph :

" 5. To have a seal, of which however the use shall not be obligatory."

Art. 37a, amended.

2. Article 37a is amended by adding after the words : " united townships," in the fifth line, the following words : " or of several contiguous townships situated in the same county. "

Art. 38, amend.d.

3. Article 38 is amended by adding thereto the following paragraph :

“ That of a municipality composed of portions of several townships is “ Municipality of
(name which shall be given to it by the county council.)

4. Article 74 is amended by adding thereto the following paragraph : Art. 74,
amended.

“ Nevertheless, when a village municipality is situated partly in one and partly in the other of two adjoining parishes, either of the two such parts of the village municipality, may be annexed to the municipality of the parish of which such portion of the village municipality forms part, provided that the petition, praying for such annexation, be signed by all the proprietors residing in the portion which demands such separation, and provided also that there remains in the municipality of the village, a territory of sixty arpents in superficies, containing forty inhabited houses.” Annexion of
municipal ty
parts.

Proviso.

Proviso.

5. Article 98 is amended by adding thereto the following paragraph : Art. 98,
amended.

“ The Council may declare who shall bear and pay the costs incurred for the production of the witnesses heard, or for the summoning of witnesses who have made default, and tax such costs, including the reasonable travelling expenses and fifty cents a day for the time of the witnesses. The amount thus taxed, may be recovered, either by the corporation or by the person who has advanced and paid out the same, as the case may be, in the manner prescribed for the recovery of penalties imposed by this code.” Costs for the
time of the
witnesses.

6. Article 132 is amended by adding thereto the following paragraph : Art. 132,
amended.

“ He has and may exercise, subject to an appeal to the council, all powers conferred by article 301, on the presiding officer at an election.”

7. Article 144 is amended by adding thereto the following paragraph : Art. 144,
amended.

“ Nevertheless the want of security shall in no wise prevent the Secretary-Treasurer from performing the duties of his office ; but the members of the council under whom he acts, who have not exacted or demanded such security, shall be jointly and severally responsible in the same manner as are the sureties in virtue of article 147.” Want of se-
curity by the
sec.-treas.

8 After article 155, the following article is inserted : Art. 155a,
added.

“ 155a. The Secretary-Treasurer may, with the consent of the Council, in lieu of hypothecary security, furnish Security of
the sec.-treas.

security by means of a bond or policy of guarantee in favor of the Corporation, in any Canadian Guarantee Assurance Company, which may be approved of by the Council."

Art. 167,
amended.

9. Article 167 is amended by adding thereto the following paragraph :

"Such persons, either themselves or by their Attorneys, may take either with a pencil or with a pen, all notes, extracts or copies which they may require."

Art. 166,
replaced.
Rendition of
account by
the Sec. Treas.

10. Article 166 is replaced by the following :

"166. The Secretary-Treasurer is bound to render, during the month of January in each year, a detailed account of his receipts and expenditure up to the thirty-first day of the month of December preceding, and he is also bound to render such account oftener if required by the council."

Art. 168,
amended.

11. Article 163 is amended by striking out the word : "of," which follows the word : "January," in the fourth line, and by substituting therefore, the word : "following."

Art. 169,
amended.

12. Article 169 is amended by striking out the words : "the two preceding articles," in the second line, and by substituting therefore, the words : "Articles 168 and 168a," and by inserting after the word : "delay," in the third line, the following words : "provided that blank forms have been transmitted to him previous to the 1st day of January by the Department of the Provincial Secretary."

Art. 176,
amended.

13. Article 176 is amended by substituting for the word : "May," in the first line, the word : "February."

Art. 215,
amended.

14. Article 215 is repealed and replaced by the following :

Notice.

"215. Every notice so given is either public or special." The public notice must be in writing, but the special notice may be given either in writing or verbally, except in particular cases in which a special notice must be given in writing"

Art. 288,
amended.

15. Article 283 is amended by adding thereto the following words : "or if at the time of his election he is not a municipal elector;" and further by adding the following paragraph :

Declaration
of qualifica-
tion of the
councillor.

"On a demand made before the Council by a member of such council or by a rate-payer, any councillor shall, within eight days, 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."

16. Article 291 is amended by striking out the words : " during the preceding six months," in the third line of the second subsection thereof. Art. 291, amended.

17. Article 337 is amended by adding after the subsection 7, the following subsection : Art 337, amended.

" 8. When a councillor has neglected to make and deposit within the required delay, the declaration mentioned in the last paragraph of article 283, subject nevertheless to the application of article 119, in case he should make and deposit his declaration before proceedings have been taken to get the vacancy filled." When a councillor has neglected to make the declaration.

18. Article 373 is amended by inserting after the words : " secretary-treasurer," in the first line thereof, the following words : " if he receive an order to that effect from the council." Art 373, amended.

19. Article 405 is amended by adding after the word : " dangerous," in the fourth line, the words : " or whenever the use of a municipal road becomes difficult or dangerous;" Art 405, amended.

And also by adding after the word : " bridge," in the fifth line, the words : " or such road."

20. Article 479 is amended by adding at the end of the first paragraph, the words : " or by any person, or firm of persons," and by substituting for the second subsection, the following : Art. 479, amended.

" 2. By giving or lending money or debentures to such Company or to the provincial Government or to any person or firm of persons who shall undertake the establishment of any of the public works above mentioned ;"

And also by adding at the end of the third sub-section, the following words : " or by such person or firm of persons. "

21. Article 488 is amended by inserting therein, before the word : " purchase" in the first line, the word : " lease." Art. 488, amended.

22. Article 499 is amended by inserting therein after the word : " province," in the second line, " the following words : " or on first hypothec. " Art. 499, amended.

23. Article 637 is amended by striking out in the second, third and fourth lines, the words : " and for the Art 637, amended, and 637-a, added.

payment of compensation for the use of the water therefrom ;”

And by inserting after the said article, the following :

Compensation for the water.

“ 637a. To provide, over and above any tax for the establishment or for the maintenance of aqueducts, public wells or reservoirs, for the payment of a compensation for the water, according to such tariff as it shall be meet, every proprietor, tenant or occupant of any house, shop or like building, whether or not the latter avail themselves of the water, provided always that the Council cause a notice to be served on them to the effect that it is prepared to conduct the water, at its own expense, into or near their houses, shops or buildings.

Proviso.

By-laws to that effect, to be approved

Every by-law to compel proprietors, tenants or occupants to pay such compensation for water, before having force and effect, must be approved by the electors of the municipality, and by the Lieutenant Governor in Council.

Liability of the proprietor refusing to furnish separate supply.

Every proprietor having one or more tenants, subtenants or occupants, shall be liable for the payment of such compensation in the event of his refusing or neglecting to furnish a distinct and separate supply pipe to such tenant, subtenant or occupant.”

Art. 637b, added to 637a.
Annual subsidy.

24. The following article is inserted after article 637a :

“ 637b To provide for the payment of an annual subsidy to any company, person or firm of persons, which shall undertake the construction of an aqueduct, public well or reservoir during such period as may be agreed upon.

By-law to that effect, to be approved.

Every by-law passed in virtue of the present article, before having force and effect, must be approved by the electors of the municipality, and by the Lieutenant Governor in Council.”

S. 5 of art. 712, replaced.

25. Paragraph 5 of article 712, is replaced by the following paragraph :

Railway companies receiving grant from the gov.

5. “ All property belonging to iron and wooden railway companies to which a grant from the Provincial Government has or may be made, for the period of twenty years from the date of the first payment on account of the grant.”

Art. 718, amended.

26. Article 718 is amended, by adding at the end of the seventh paragraph, the following word : “ giving separately the value of any part of a lot occupied by any person not being the owner ;”

S.8, replaced.

And also by replacing the 8th paragraph, by the following :

“ 8. their annual value or rent ”

27 Article 734 is amended by adding after the word : Art. 734, amended.
 “thereto,” in the fifth line, the words : “by making the valuation of any taxable property which may have been omitted, and by inserting therein such omitted property with its value and all other particulars relating thereto required by article 718, by striking therefrom any property erroneously inserted therein.”

28. Article 746a is amended by substituting for the word : “may,” in the first line thereof, the words : “shall, Art. 746a, amended.
 in the months of June or July.”

29 Article 753 is amended by adding at the end of the first paragraph, the following words : Art. 753, amended.

“If the land of the discontinued road has not been taken from the neighbouring lots, it returns by right, to the lands between which it is situated, in the proportion of one-half to each,” and by adding at the end of the article, the following paragraph :

“Parties who have shares of fencing along the discontinued road, shall have the right of removing such fencing, within fifteen days from the closing of the road.”

30. Article 775 is amended by substituting the word : Art. 775, amended.
 “road,” for the words : “by road,” in the first line thereof, and by substituting the word : “road,” for the words : “by road,” in the third line thereof.

31. Article 877 is amended by inserting therein, after the word : “ice,” in the fifth line, the following words : Art. 877, amended.
 “or otherwise.”

32. Article 925 is amended by adding thereto the following words : Art. 925, amended.
 “and no appeal shall lie from a resolution, even when it is passed in the exercise of the powers conferred by article 460.”

33 Article 927 is repealed. Art. 927 repealed.

34. Article 943 is amended by inserting therein, after the word : “twenty” in the third line, the word : Art. 943, amended
 “five,” and also by inserting after the word : “twenty,” in the eighth line, the word : “five.”

35. Article 978a is amended by substituting for the word : “may,” in the fifth line, the word : “shall ;” and Art. 978a, amended.
 also by striking out the proviso at the end of the said article, and by substituting therefor, the following paragraph :

“It is the duty of the secretary-treasurer to make, Special collection roll.

each year, until the payment or redemption of the debentures, a special collection roll, apportioning on the taxable properties subject thereto, according to their respective value as shown on such valuation roll, the amount of the tax imposed for the interest and for the annual payment to the sinking fund.”

Art. 1061,
amended.

Right of
appeal.

36. Article 1061 is amended by adding, after the third subsection, the following paragraph :

“ Such Appeal lies also whenever the Council of a local municipality has neglected or refused to take cognizance of any written complaint made in virtue of article 755, within thirty days after the expiration of the delay in which it might have taken cognizance thereof.”

Confession of
the valuation
roll.

37. Notwithstanding the provisions of article 716, the valuation roll of any local municipality in which such roll must be made this year, may be made at any time before the first of September next.

Act in force.

38. This act shall come in force on the day of its sanction.

C A P . X I .

An act to amend the Town Corporation General Clauses Act.

[Assented to 20th July, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

§. 239 of ch.
29, 40 Vict.,
amended.

1. Section 239 of the Act 40 Vict., cap. 29, is amended by substituting the word : “twenty,” for the word : “eight,” in the first line thereof.

Act in force.

2 This act shall come into force on the day of its sanction.

C A P . X I I .

An act to amend Article 1669 of the Civil Code.

[Assented to 20th July, 1878.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. 1669 C
C. of L. C.,
amended.

1. Article 1669 of the Civil Code of Lower Canada is amended so as to read as follows :