

same effect as if this act had entered into force on the first day of July last, but the said by-laws, contracts and undertakings, shall not affect the farms hereinafter mentioned, except in the manner hereinafter provided.

Punishment  
for infractions  
of by-laws.

**10.** Whoever shall transgress any by-law or regulation adopted by the town council, shall be liable to incur the fine or penalty imposed by any such by-law or regulation, for each and every infringement or contravention. The said fine not to exceed twenty dollars, nor to be less than one dollar, and the imprisonment not to exceed thirty days; the justice of the peace, who shall try the offence, should limit at his discretion, the amount of the fine or the period of the imprisonment, and even impose upon the offender, the two punishments at one and the same time, and the levying of the fine and costs of suit, by process of seizure and sale of the movables and effects of the offender may be ordered in the conviction, or omitted, according as it may be deemed expedient, the 41st section of the act 23rd Victoria, chapter 75, being thus amended, for that purpose.

Filling of va-  
cancies in  
office of mayor  
or councillor.

**11.** Whenever a member of the town council, either the mayor of the said town council or any of the councillors, shall voluntarily offer, in writing, his resignation of the said charge, it shall be lawful for the town council to accept the said resignation, if they think fit, and if any of the said offices become vacant, by resignation, offered and accepted as aforesaid, the said town council shall immediately, or under as brief a delay as possible, by a resolution to that end passed, name and appoint, from amongst the inhabitants of the said town, another mayor or other councillor, to replace the officer who shall have so resigned, and every person who shall have been so named to replace another, shall remain in office for the remainder of the time for which his predecessor had been elected or appointed and no longer.

Right to grant  
ferry-licenses.

**12.** The right of granting licenses for ferrying (ferry licenses, *traverses*) from one side of the river St. Lawrence to the other, or over the river Richelieu, to arrive or leave within the limits of the town of Sorel, shall belong exclusively to the said corporation.

Regulating  
ferries and  
fixing tolls.

**13.** The town council shall grant the said licenses upon such conditions and under such obligations and restrictions as they may order by a by-law, and shall establish at the same time one or more tariffs of toll for crossing the said rivers as aforesaid.

14. The sums levied for ferry licenses as aforesaid shall form part of the funds of the said town, any provisions to the contrary notwithstanding.

Application of moneys received for such licenses.

15. The council shall be, and they are hereby authorized to pass such regulations as they may deem necessary for making the annual assessment rolls; to regulate the manner in which the said rolls shall be prepared as to the assessable persons and property to be therein included; to order the valuation of immovable property each year, notwithstanding the provisions of the 26th section of the act 23rd Victoria, chapter 75, enacting that the said valuation shall take place only every two years; to prescribe the duties of the assessors, fix their salaries to a sufficient amount, in one word, to regulate in the best manner possible the imposition of taxes and assessments, and the collection of the said taxes and assessments.

Assessment rolls,—valuation,—assessors and their salaries.

23 V., c. 75, s. 26.

16. All provisions of the act twenty-third Victoria, chapter seventy-five, contrary to the provisions of the present act are repealed or amended so that the provisions of the said present act may have their full and entire effect.

23 V., c. 75, not to affect this act.

17. The secretary-treasurer, in opening his collection roll for 1872, shall not charge the tax of six mills in the dollar imposed for the construction of the water-works, upon the proprietors of farms or other agricultural establishments, within the limits of the said town; the said tax shall not this year, or during any subsequent period for which it may be continued, be levied upon any such real estate beyond the limits following, that is to say: beyond the *rue royale*, to the north-east, beyond Victoria street to the south-east; but nevertheless any portions of the said farms, adjoining the said streets, or beyond, which are actually conceded in building lots shall be liable and subject to the said tax, provided the said corporation be prepared to supply water on such lots and not otherwise, and all other portions of the said farms which shall be hereafter conceded for building lots, shall become taxable, from the day in which they are conceded or sold, provided the said corporation be prepared to supply water on such lots of land and not otherwise.

Water tax not to be levied on certain property.

18. This act shall come into force on the day upon which it is assented to.

Commencement of this act.

## CAP. LIX.

An Act to amend the Act twenty-third Victoria, chapter seventy-six, intituled : " An Act to incorporate the Village of Terrebonne as a Town."

[Assented to 24th December, 1872.]

Preamble.

**W**HEREAS " the mayor and council of the town of Terrebonne " have, by petition, represented that the act twenty-third Victoria, chapter seventy-six, intituled : " An Act to incorporate the Village of Terrebonne as a Town," should be amended ; and whereas 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 :

Sec. 1, of 23  
V., c. 76,  
amended.

**1.** The first section of said act of incorporation is amended by striking out the following words in the fourth and fifth lines, " the mayor and council of the town of Terrebonne " and by substituting therefor the words " the mayor and the councillors of the town of Terrebonne."

Sec. 2, of said  
act, replaced.

**2.** The second section of said act is repealed, and the following substituted therefor :

Boundaries of  
town of Terre-  
bonne.

**2.** The boundaries and limits of the said town of Terrebonne shall be the following, to wit : on the south side, the river *Jésus*, from the south end of the seigniorial line between the seigniories of Terrebonne and Lachenaye, to the south end of the east line of the land of Charles Daunais, senior, including the islands " St. Jean," " du Moulin," " Bourdon," " aux Moutons," and five small islets opposite the said town ; on the east side, the east line of the said land of Charles Daunais, senior, from the said river *Jésus* to a point marked at a distance of nine hundred and ninety feet from the said river ; on the north side, a straight line from the point last mentioned to the intersection of the seigniorial line, with the western line of Marier's land, at a distance of four thousand five hundred and fifty-four feet from the said river *Jésus*, following the said line of Marier's land ; on the north-east, the said seigniorial line from the said intersecting point to the said river *Jésus* and the maintenance of this section or part of the by-road " Pincourt " from St. Louis street in the said town, to the " Viger " stream, which intersects the said by-road in the parish of Terrebonne, at a distance of about eighteen arpents from the said street, shall in future and for and so long as the corporation of the said town is bound to main-

tain the same, be under the immediate and exclusive control of the council of the said town, any law, *procès-verbal*, or by-law to the contrary notwithstanding;

**3.** The third sub-section of the fourth section of said act is amended by adding in the third line, after the word "Council," the words "the members of Her Majesty's Privy Council, forming part of the administration for the time being." § 3, of sec. 4, of said act, amended.

**4.** The fourth sub-section of the fourth section of said act is repealed, and the following sub-section is substituted therefor : § 4, of s. 4, replaced.

4. The following persons shall not be obliged to accept the office of mayor or councillor, nor any other municipal office : members of the senate, of the commons, or of the provincial legislature, schoolmasters actually engaged in teaching, licensed pilots, navigators by trade, any miller when he is employed alone in a mill, persons over sixty years of age, all persons in the employ of a railway or turnpike road, gaolers and wardens of reformatory prisons, and any person having held a municipal office during the two next preceding years may refuse to accept any municipal office whatsoever in the said town, during the two years immediately following such service ; and any person already holding a municipal office may, while he fulfils the duties of such office, refuse to accept any other municipal office, and any person having paid the fine for having refused to accept a municipal office, shall be exempt from performing the duties of any municipal office whatever in said town, during the time for which he had been appointed, and any person appointed to any municipal office of which he is exempt, shall, if he wishes to avail himself of such exemption, give notice in writing to the council, within eight days following his being notified of such nomination, and in default of his so doing, he shall not be admitted to claim such exemption. Persons exempted from serving as mayor or councillor. Notice to be given.

**5.** The fifth sub-section of the eighth section of said act is amended by striking out in the seventh and eighth lines thereof the words "one month previous to the time fixed for such election," and by adding at the end the following words, "and if no person be appointed as aforesaid, to preside at such election, or if the person appointed be absent or do refuse to preside at such election, the secretary-treasurer shall of right, preside at such election, and shall have the same privileges and fulfil the same duties as the councillor appointed by the council, but no such proclamation of the persons elected shall be made before the expiration of a half hour from the opening of the meeting." § 5 of s. 8, amended. Sec.-treas. to preside at elections in certain cases.

§ 4 of s. 9,  
amended.

6. The fourth sub-section of the ninth section of said act is amended by striking out the word "eight" in the fourth line thereof, and by substituting therefor the word "fifteen," and by adding at the end the following words "and they have given the notice required by the fourth section of this act."

§ 1 of s. 10,  
replaced.

7. The first sub-section of the tenth section of said act is repealed, and the following substituted therefor :

New election  
in case of  
refusal to act  
or nullity of  
election.

1. In case any person so elected mayor or councillor shall refuse to act, or in case his election, being contested, shall be declared null, the electors of the said town shall proceed to the new election of a person to replace such mayor or councillor within one month after such refusal shall have been made known, or such election declared null, and any such new election shall be conducted in the same manner as annual elections."

§ 11 of said  
act replaced.

8. The fourteenth section of said act is repealed, and the following is substituted therefor :

Sittings of  
council.

"14. The said town council shall meet at least once in each month for the transaction of the business of the said town, and shall hold their sittings in the town hall or in any other place in the said town which shall have been set apart for the purpose, either temporarily or permanently, and it shall be lawful for the said council to adjourn any sitting whether monthly or special, from time to time, and as often as thought fit; and two or more members may, half an hour after the time appointed for the meeting of said council, adjourn, for want of a *quorum*, any meeting of said council, and the said members, although not forming a *quorum*, are, by this act, authorized to compel the absent members to attend said monthly or special sittings, and any adjourned sitting as aforesaid, and to impose, in case of any subsequent absence, against said members absent, any fine which said council may have imposed for an absence from any sitting of said council; and it shall be the duty of the secretary-treasurer to record in the minutes of the sitting in the register of the said council, the hour of adjournment, the names of members of said council present, and to mention all orders given by the said members present, under this section."

Quorum.

Fine of absent  
members.

Adjournments.

Pro-mayor.

9. At the first sitting of the said council, after every annual election, or at any other sitting, the said council may proceed to the election and appointment of one of their number as pro-mayor, to fulfil the duties of mayor during his absence from said town, or in case the office of mayor become vacant, and the member so appointed shall hold and be vested during such absence, and until another be ap-

pointed by said council, with all the powers, authority and privileges legally vested in the mayor of said town.

**10.** The mayor of the said town, or in his absence the pro-mayor, and in the absence of both, the councillor appointed by a majority of the members present, shall preside at the meetings of said council, shall maintain the order and decorum thereat, and shall be entitled to give his opinion, but not his vote, on any question submitted to the said council; provided always, that if the said councillors, after giving their votes, be equally divided, the mayor, or the pro-mayor, or the presiding councillor may decide the question by his vote which he shall be bound to give, and of which he may state the motive if he thinks proper; and the mayor or the councillors shall receive no salary or pay for the time they shall hold office.

Who shall preside at meetings of council.

Proviso - casting vote.

**11.** No member shall be entitled to vote on any question in which he is personally interested, and the council, in case of a discussion, shall decide whether such member is personally interested or not therein, and such member shall not be entitled to vote on the question whether he be interested, but this section shall not apply to the appointment of a member to act as presiding officer, under the preceding section, or to the formation of committees.

Interested members not to vote.

**12.** Section eighteenth of said act is repealed, and the following is substituted therefor :

Sec. 18 replaced.

"18. The said council shall have the power to cause to be expelled by force from the council room, until the adjournment, any member of the council or any other person who shall persist in breaking the peace after the mayor or presiding officer shall have called him to order, and any motion to that effect shall always be held to be in order, and shall be decided without any debate; the said council may also punish, by a fine not exceeding forty dollars, any such councillor breaking the peace as aforesaid."

Expulsion and fine of disorderly persons.

**13.** The twentieth section of said act is amended by striking out in the beginning of the same, the words "the sheriff and gaoler of the district of Montreal, and those of the district of Terrebonne, when there shall be a gaol in the latter district," and substituting the following words therefor: "the sheriff and gaoler of the district of Terrebonne."

Sec. 20, amended.

**14.** The twenty-first section of said act is repealed.

Sec. 21, repealed.

**15.** The fourth sub-section of the twenty-second section of said act is amended by adding in the third line thereof, after the words "as such," the following words, "and one

§ 4 of s. 22.

One of sureties to give a mortgage.

of them at least shall give a mortgage in said security bond, upon a property of his own, for the payment of a sum determined by a resolution of the said council, but which shall not be less than the sum of two thousand dollars."

Sureties may withdraw on giving notice and sec.-treas. must then give others.

**16.** The bondsmen of the secretary-treasurer may, at any time, by giving notice in writing so to do, to the secretary-treasurer himself and to the mayor, be discharged from their security bond, for the future only, from thirty days after the service of such notice by a notary or by the bondsman himself by writing delivered in presence of a witness who shall sign, and the said secretary-treasurer shall, within thirty days after the service of such notice, furnish other sureties instead of those who shall withdraw, and in default of his so doing, the said secretary-treasurer shall fulfil no more the duties of his office, under the penalty of twenty dollars for every infraction to this provision.

Sec.-treas. to give notice of death, &c., of a surety and furnish another in his stead.

**17.** The said secretary-treasurer, when one of his bondsmen shall die, become insolvent, bankrupt or remove his domicile out of the district, shall give notice of the fact, in writing, to the mayor, as soon as he shall be aware of it under a penalty of one hundred dollars; and he shall furnish another surety instead of that, to the satisfaction of the said council, within thirty days following, otherwise he shall no more fulfil any of the duties of his office, under the penalty in the next preceding section mentioned.

Sureties withdrawing may demand a certificate of discharge.

**18.** The securities of the secretary-treasurer, after their discharge for the future, from their security bond, or after the said secretary-treasurer shall have ceased to fulfil the duties of his office, may demand from the said council a certificate of discharge for the future, and such certificate, after registration thereof, shall liberate for any future time, the property mortgaged under said security bond.

Assistant-secretary-treasurer.

**19.** The secretary-treasurer may, from time to time, appoint under his seal, an assistant secretary-treasurer, who may fulfil all the duties of the office of the secretary-treasurer, with the same rights, powers and privileges, and under the same obligations and penalties as the secretary-treasurer himself, save as regards the security bond; and the said assistant may be dismissed and replaced at pleasure by the said secretary-treasurer, and shall act under the responsibility of the said secretary-treasurer; and in case of a vacancy in the office of the secretary-treasurer, the said assistant shall continue to fulfil the duties of the office, until such vacancy is filled.

**20.** The secretary-treasurer shall furnish, upon payment of the fees hereafter determined, to any person demanding the same, certified copies or extracts of all books, rolls, registers, documents or other instruments forming part of the archives of the said council; and until otherwise ordered by a resolution of the said council, such fees shall be ten cents for every hundred words: provided however, that the said secretary-treasurer shall be bound to furnish any such copy or extract to the lieutenant-governor, to the council, officers and the several standing or select committees thereof, without any remuneration.

Sec.-treas. to furnish copies &c., on demand; fees to be paid him.

**21.** Section twenty-third of the said act is amended by adding at the end the following words: "and the said assessors or valuers may, during the accomplishment of their duties, request the services of the said secretary-treasurer or of any other clerk, who shall be entitled, for every day during which he shall be so employed, to a sum not exceeding two dollars, payable by the said council on the certificate of the said valuers."

Sec. 23. amended.

Valuers may require assistance of sec.-treas.

**22.** Section twenty-fourth of said act is amended, by adding after the word "councillor," in the fourth line thereof, the following words "or a justice of the peace of the said town."

Sec. 24. amended.

**23.** Section twenty-fifth of said act is amended by striking out the word "six" in the third line thereof, and substituting therefor the word "four."

Sec. 25. amended.

**24.** Section twenty-sixth of said act is repealed, and the following is substituted therefor:

Sec. 26. replaced.

"26. When the assessors shall have made a valuation of all the rateable property of the said town, they shall deposit the assessment roll with the secretary-treasurer of the said town, who shall lay the same before the said council at their next meeting, and the said assessment roll shall remain and be deposited in the office of the said secretary-treasurer for the period of one month, dating from such meeting; and during that period, it shall remain open to the inspection of any person whose property shall have been valued, or his representatives; and notice of the day of such deposit as aforesaid shall be given by the secretary-treasurer in the same manner as for the election of councillors; and persons considering themselves aggrieved, may, within that period, give notice in writing to the said secretary-treasurer, of their intention to appeal to the said council, complaining of any such 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 as aforesaid; and the said council,

Deposit, inspection, contestation, amendment and closing of assessment roll.

after having heard the said assessors, the parties and their witnesses under oath, which shall be administered by the mayor or presiding councillor, shall confirm, increase or lower the valuation, the change whereof shall have been prayed for, as to them shall seem just; and the said council may then amend any such valuation, even if there be no demand or complaint to that effect, by setting down to the amount they shall deem convenient, any such valuation of any rateable property which they shall believe to have been made over or under the real or annual value of the same, or by correcting the names of persons entered thereon, or the designation of properties mentioned therein, or by adding whatever the assessors might have omitted to enter; and at the same meeting, the said assessment roll shall be declared closed for two years; unless, however, from the number of appeals, or for any other cause, the council shall be compelled to adjourn, in which case the said assessment roll shall not be declared closed until all the appeals shall have been heard and adjudged upon; provided always, that if, after the said assessment roll 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, at any time, upon the petition of the proprietor, to instruct the said assessors to reduce their valuation of such property to its then actual value; and provided also, that if an omission shall have been made in the said assessment roll, the said council may, at any time, order the assessors to value any property so omitted, in order to its being added to the roll; and the said assessors shall be bound, when directed by the said council, to make a valuation of the stocks of merchandize held in the said town; and it shall be the duty of all owners or occupants of any real or other rateable property within the said town, to give, as far as they can do it, all information required by said assessors, and to answer the truth to all questions put by them, relative to the valuation of such property, under a penalty of not less than five dollars and not more than twenty, or an imprisonment not exceeding one month."

Proviso.

Appeal after closing of assessment roll.

**25.** Any interested person may, within fifteen days after the valuation roll shall have been closed, appeal therefrom to the circuit court of the district or county, and from any resolution or decision taken or pronounced by said council under the preceding section of this act, and also, whenever the said council shall have refused or neglected to take into consideration and adjudge upon any complaint made in conformity with the said section; and such person shall give a sufficient notice to the said council of his

Notice and security to be given.

intention so to appeal, and shall furnish to the clerk of the said court good and sufficient security for the costs of such appeal, and the persons becoming liable, as such security, must justify their solvency to the extent of at least one hundred dollars.

**26.** Section twenty-seventh of said act is amended, by striking out in the second and third lines thereof the words Who may be auditors. "two persons shall be appointed by the said town council, to be auditors of the accounts of the said council," and by substituting therefor the following words: "two qualified persons shall be appointed by the said town council, to be auditors of the accounts of the said council, and the mayor, nor any councillor, nor the secretary-treasurer, nor any of his securities, nor any person receiving a salary from the said council, or being party to any bargain not concluded and unsettled with the said council, shall not fill the office of such auditors."

**27.** Section twenty-ninth of said act is repealed.

Sec. 29, repealed.

**28.** Section thirty-first of said act is amended by striking out the word "two" in the thirteenth line thereof, and substituting therefor the word "three."

Sec. 31, amended.

**29.** The said council may appoint standing and select committees, composed of as many of their members as shall be thought proper, and they may delegate their powers to the same for examining any question, the carrying out and deciding of any affair or sort of affairs, the execution of certain duties; and such committees shall render account of their labours and decisions, by reports made according to the form deemed expedient by said council.

Appointment and duty of committees.

**30.** The said council or any of their committees may, pending any question before them, take communication of any documents or instruments adduced as evidence, assign any person residing within the said town, and examine under oath, the parties and witnesses brought by the parties, and administer the oath or affirmation to the same through one of their members or the secretary-treasurer, and if any person so assigned before said council or any of their committees, fail to appear, without a reasonable cause, at the time and place mentioned in the subpoena, when a compensation for his time, at the rate of fifty cents per day, shall have been paid or offered to him, he shall incur a penalty not exceeding ten dollars and not less than four dollars, or an imprisonment not exceeding fifteen days.

Attendance and examination of witnesses.

Appointment  
and powers of  
officers to see  
to execution of  
by-laws.

**31.** It shall be lawful for the said council to appoint, dismiss, replace and pay all officers or servants deemed by them necessary for the due execution of all their by-laws in existence or to be made in future, and demand from each of them such security as may be deemed sufficient to secure the due fulfilment of their duties; and it shall be lawful for such officers and servants, upon the order of the council or one of the committees thereof to visit and examine within suitable hours, outside and inside, any lot, house, or building within said town, to ascertain whether said by-laws are truly executed; and it shall be the duty of any owner or occupant of any such lot, house or building to allow such officers and servants as aforesaid within, under a penalty not exceeding twenty dollars, or an imprisonment not exceeding one month.

Police force.

**32.** It shall be lawful for said council to establish, regulate, arm, maintain, clothe and pay a police force for the said town, and for that purpose, appoint, dismiss and replace from time to time, when occasion shall require, a sufficient number of men, who shall be sworn before the mayor of said town, or before any justice of the peace for the said district, to act as police officers or constables, in order to preserve peace within said town, to prevent larcenies and other misdemeanors, and to arrest any person breaking the peace, as also any person in contravention with any of the by-laws of the said town, if such by-law contains a provision to that effect; and the said police officers or constables shall obey all legitimate orders they may receive from the said council, the mayor or any justice of the peace of the said town, and also any order given by any councillor of the said town, under the forty-seventh section of said act of incorporation; and all and every such police officers and constables aforesaid shall be vested

Duty of police-  
men.

Their powers.

with all the necessary powers for the legal accomplishment of all duties imposed upon them by said council; and it shall be lawful for them to arrest on view and without a warrant any person they may find breaking the public peace, or lying or loitering either during night or day time in any highway, field or other place or putting up or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing some tumult in the public streets or highways, by shouting, cursing or otherwise, and any person contravening any by-law of the said town, if it be so ordered by the same; and it shall be lawful for the said police officers and constables to arrest on view and without a warrant any such persons immediately or after the commission of the offence, on good and sufficient infor-

mation being given as to the nature of the offence; and any such persons so summarily arrested may be admitted to bail by such police officers or constables, in the manner hereafter provided, or be immediately conveyed by said police officers or constables to the police station or other place of confinement, there to be safely kept until they may be taken before the mayor or other justice of the peace of said town; and in case the trial may not take place within forty-eight hours after such arrest as aforesaid, such persons so arrested may give bail or a sufficient recognizance, to be taken or received by said mayor or other justice of the peace of the said town, and shall appear on the day appointed, before said mayor or other justice of the peace, and any recognizance so taken shall be subject to the same procedure for the forfeiture of the same, as any recognizance taken before a justice of the peace.

**33.** Any person who shall beat, assault or resist any officer or servant, or any police officer or constable appointed under the two next preceding sections, while in the exercise of his duties as such, or who shall excite another person to assault, beat or resist such officers or servants, or such police officers or constables as aforesaid, shall be liable to a fine of not less than four nor more than forty dollars, or to an imprisonment not exceeding two months, or to both; provided always, that it shall be lawful for the said council, or for such officers or servants, police officers or constables, to proceed by way of indictment against any such offender, but one legal proceeding only shall nevertheless be taken.

*Fine for assaulting or resisting police or other officers, &c.*

*Proviso.*

**34.** Sections thirty-third, forty-eighth, and forty-ninth, and sub-section twentieth of section thirty-fifth of said act, are by this act repealed.

*Secs. 33, 48, 49, and § 20 of s. 35 of said act repealed.*

**35.** Sub-section sixth of section thirty-fourth of said act is repealed, and the following is substituted therefor:

*§ 6 of s. 34 of said act replaced.*

6. "On every dog or bitch kept by persons residing in the said town, an annual sum not exceeding two dollars."

*Dog tax.*

**36.** The second sub-section of the thirty-fifth section of said act is hereby repealed, and the following sub-section substituted therefor:

*§ 2 of sec. 35 replaced.*

2. For erecting, altering, doing away with or maintaining public markets or public market-places, for regulating the renting of stalls or other places which may be therein, for selling or exposing for sale any kind of goods or provisions, or certain articles in particular, for appointing market clerks, for determining and regulating their duties; for preventing any person residing without the limits of the said town, from selling or exposing for sale within the said town, pro-

*Markets, and market regulations.*

visions, grain, food or other commercial goods or farm produce, anywhere else than upon the markets of said town; for preventing any person residing within the said town, from cutting, retailing or weighing, with a view of selling the same, any meat, whether beef, mutton, lamb, veal, pork or salt beef, or from offering for sale said articles elsewhere than in a butcher's stall, or in the stall of a salt provision dealer, in or upon any of the said markets; for regulating the conduct of any person selling, exposing for sale, buying or endeavouring to buy on said markets; for imposing duties on any person selling on the road, markets, or market places of said town, provisions, vegetables, butcher's meat, poultry, grain, hay, straw, fire-wood, shingles, and other articles; for imposing duties on waggons, carts, sleighs, boats and vehicles of all sorts, in which any goods are exposed for sale on the roads and streets, on the markets, or on the beach, and for regulating the manner in which such waggons, carts, sleighs, boats, canoes and other vehicles shall be placed on the said markets and market-places, on the said roads and streets, and on the said beach; for restraining and making regulations for hucksters and persons buying goods brought into the said town to sell them again; for authorizing the forfeiture in favor of the corporation or the poor of the said town of any unwholesome or rotten meat, brought upon the said markets, and of any things, provisions or goods bought or sold or delivered in contravention with the by-laws made under this subsection; for regulating the weighing and measuring of all goods or produce which may be offered for sale upon the said markets, or market-places, and imposing any duties which the said council may deem advisable to impose in such cases.

§ 4 and 5 of s.  
35 repealed.

**37.** Sub-sections fourth and fifth of the said thirty-fifth section are hereby repealed.

§ 8 of s. 35, re-  
placed.

Obstructions,  
&c., in streets.

**38.** Sub-section eighth of the thirty-fifth section of said act is repealed, and the following is substituted therefor:

“ 8. For preventing any obstruction in the streets and public places, and on the side-walks of said town, either with vehicles, wheel-barrows, materials or other encumbrances of whatever kind they may be, and for prohibiting the use therein of kites, sledges or other games liable to frighten horses and preventing the free and easy circulation.”

§ 18 of s. 35 re-  
placed.

**39.** Sub-section eighteenth of the thirty-fifth section of said act is repealed, and the following is substituted therefor:

Gaming, cock-  
fights, &c.

“ 18. For preventing the keeping of gaming-houses, places for gambling, or houses of ill-fame within said town,

and for preventing or restraining all games with cards, dice or other games of hazard, cock-fights or dog-fights, with or without betting, in any hotel, saloon, bar, shop, tavern or other public place, whether licensed or not within the said town, and for detecting and arresting on the spot, any person found playing such games or being present at such fights in contravention with such by-laws.

**40.** Sub-section nineteenth of the thirty-fifth section of said act is repealed, and the following is substituted there-<sup>§ 19 of s. 35 replaced.</sup> for:

"19. For the establishing and management of as many <sup>Public pounds.</sup> public pounds as the said council may deem advisable, for the safe-keeping of all animals found astray in the streets, public places, on the beach, or on any lands other than the owner's within the said town, and for appointing persons as keepers of said pounds, determining their fees, regulating and establishing their duties, and for imposing such fines not exceeding ten dollars, on any animal found astray as aforesaid; for regulating and providing for the sale of <sup>Regulations as to impounded animals un-</sup> unclaimed animals within the delays fixed by such by-laws, <sup>claimed.</sup> for determining the formalities to be adopted for such sales, for imposing, besides and irrespectively of fines incurred, such duty or indemnity deemed proper by said council, for the cost of keeping such animals, whether claimed or unclaimed; provided always, that such fines may be recovered <sup>Proviso.</sup> from the owners of such animals, if such owners are known, without it being necessary to cause such animals to be arrested and conveyed to the said pounds; and it shall be the duty of the pound-keepers so appointed, to give and deliver up such animals to their owners, on payment of the fine imposed, his fees, and costs of safe-keeping."

**41.** Sub-section thirtieth of section thirty-fifth of said act <sup>§ 30 of s. 35, amended.</sup> is amended by adding after the word "railway" in the fourth line thereof, the words "macadamized roads," and by adding after the word "benefit," in the seventh line, the following words "and in any company formed with a view of supplying the town with gas."

**42.** Sub-section thirty-third of the section thirty-fifth of said act is amended by adding at the end the following <sup>§ 33 of s. 35, amended.</sup> words "and for preventing or regulating the burial, within the limits of said town, of any person having died of a contagious disease, without the limits of the parish of Terrebonne."

**43.** Section thirty-fifth is also amended by adding the following sub-sections: <sup>Additional § 5 to s. 35.</sup>

Hog-sties and  
privies.

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

Dogs.

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

Theatres,  
circuses, &c.

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

Bathing in  
public places.

37. For preventing persons from bathing and cleansing themselves in open air and at the sight of the public ;

Police station  
and place of  
confinement.

38. For establishing, within the said town, a house of confinement, a police station or other house of confinement, for the safe-keeping of any persons arrested for any infringement to law or to any by-law of the said council, until they may be brought before the mayor or justice of the peace, or conveyed to gaol, if there be reason to, after their conviction ;

Maintenance  
of roads.

39. For causing to be maintained, raised, levelled, cleaned, rounded, paved, macadamized or filled with rubbish any road, street or public place, or part of such road, street or public place, under the direction of said council, and by and at the cost of any person bound to maintain such road, street or public place ; provided that it may be lawful for the said council, when deemed expedient, to rule and order that the roads and streets of the said town be in future, or during the time determined by such by-law, made and maintained by the corporation ; and the said corporation shall, then and for such time, be substituted to the rate-payers, as far as regards their duties, obligations and liabilities to that effect ;

Proviso.

Water-  
courses,  
ditches, drain-  
age, &c.

40. For causing to be opened, digged, widened, covered, and properly maintained all boundary ditches, common ditches, or all water-courses common to several lands as

they shall deem necessary for the easier draining of any land situate within the said town, and for regulating when, in what manner and by and at the cost of what persons, such works shall be made, and, in case the said council shall think it more advisable to cause the said works to be made at the common expense of the interested parties, they may assess the owners of all lands drained by such ditches or water-courses to such sums as shall be required for that purpose, and that, in proportion with the assessed value of such lands, or the length of such ditches or water-courses upon such lands, and for regulating the mode of collecting such assessments; and the said council may appoint an inspector of water-courses, regulate his duties and impose penalties not exceeding twenty dollars, or an imprisonment not exceeding one month, upon any person obstructing or embarrassing, or allowing to obstruct or embarrass such ditches or water-courses, or refusing to make or to allow to be made, all works ordered by the said inspector under the said by-laws; provided always, that it shall be lawful for the said council to take all the works connected with such water-courses and ditches upon their charges, at their own expense and under their responsibility, if they think it advisable;

Appointment, duties and powers of inspector of water-courses.

Proviso.

41. For erecting public weigh-houses or scales, determining the tariff for using such weigh-houses and scales, and compelling any person selling hay, straw, coals, grain or other articles sold or delivered by weight within the said town, to have them weighed by the persons entrusted with the management or safe-guard of the said weigh-houses or scales, if required by the buyer; and for forbidding all persons within the said town to weigh for any one else any of the said articles under a penalty not exceeding five dollars for every offence, or an imprisonment not exceeding one month;

Weigh-houses, weighing.

42. For preventing or regulating the building of slaughter-houses, gas-works, tanneries, candle and soap manufactories, distilleries, lime-kilns and other manufactories which may become public nuisances; and causing the slaughter-houses already existing in the said town, to be removed;

Slaughter-houses, manufactories, &c.

43. For regulating and determining when and how shall be made and maintained boundary fences or fences common to any lands, emplacements or properties within the said town; for appointing an inspector of fences, regulating his duties, and compelling any person to make, within the delays appointed by the said inspector, any work required by him under such by-laws, under a penalty not exceeding twenty dollars over and above all damages having resulted from the insufficiency of such fences;

Fences, appointments, duties, &c., of inspector of fences.

44. For obliging any itinerant trader selling goods by auction, and any pedlar, broker, banker, merchant, whole-

Granting licenses to auctioneers,

pedlars,  
traders, &c.

sale and retail trader, except those who sell intoxicating liquors exclusively, any butcher or public carter to take a license from the said council, in order to carry on within the limits of said town their commerce, business or trade, and for preventing the carrying on of such commerce, business or trade without such license; and no such license shall be granted for more than twelve months, and the fee for granting such license may be proportionate to the extent of the commerce, manufacturing business or trade of every person bound to take a license, and determined by the said council at their discretion; provided that such fee, on any itinerant trader, pedlar, broker, banker, merchant or trader, shall not exceed twenty dollars; and provided that such fee, on any butcher or public carter, shall not exceed twelve dollars;

Planting of  
trees.

45. For prohibiting or allowing and regulating the planting of trees along the streets of the said town, and for imposing upon any person destroying or injuring any tree so planted, or planting trees in contravention with the said by-laws, a penalty not exceeding twenty dollars or an imprisonment not exceeding one month, or both, above and over the damages resulting therefrom;

Sale and  
weight of  
bread.

46. For regulating and determining the sale and the weight of bread sold or offered for sale within the said town, and for prescribing how such bread shall be stamped, and for ordering the forfeiture of any bread sold or offered for sale in contravention with the by-laws of the said town, for authorizing any officer which the council may appoint, to visit any bakery or other place within the said town, to stop vehicles carting such bread, with a view of examining and weighing the same, and ascertaining whether the by-laws made under this sub-section have been put to execution;

Lighting town  
by gas or  
otherwise.

47. For providing for the lighting of the said town in such manner as shall be deemed proper, for protecting all pipes, lamps or other things necessary for such purpose; for compelling all proprietors or occupiers of any house, building or land within the said town to allow the laying of such necessary pipes, lamps and posts in such houses or on such lands, reserving actual damages, if there be cause, and for punishing any person breaking, destroying, impairing or putting out, without authority, the said pipes, posts or lamps;

Sub-dividing  
and number-  
ing lots.

48. For dividing the town into lots, as to them shall seem advisable, and for compelling all owners or tenants of any lot to allow the numbers of such lots to be posted on their houses, or on such lots, and for punishing by a fine not exceeding twenty dollars, or by an imprisonment not exceeding one month, any person rubbing out, taking away or destroying such numbers."

44. Sub-section sixth of section thirty-sixth of said act is amended by adding after the word "lanterns" in the seventh line thereof, the following words: "and for providing that powder, oils, fluids and other inflammable liquid or matter be safely kept, for regulating and determining what quantity of the same may be kept in every house or building within the said town, for compelling any person desirous of keeping a larger quantity to provide for premises approved of by the council for such purpose, for causing to be removed and forfeited any such powder, oil, fluid or other inflammable liquid or matter kept or carted against the by-laws of the said council, made under this sub-section; for preventing any person from firing fire-works or crackers or fire-arms in any street, or public square within the said town."

§ 6 of s. 36,  
amended.

Gunpowder  
and inflam-  
mable matters.

45. The said council may, at any time, by mutual consent, agree with any person having established, or intending to establish, any manufactory, for the payment of a certain annual sum, during a period not exceeding ten years, as a commutation for any assessment on all the properties occupied for the use of such manufactory, as well as on the said manufactory; and may also, with a view of encouraging such manufactory, dispense the same or such property from paying any assessment during a period not exceeding ten years.

Agreements  
with manu-  
facturers for  
commutation  
of assessments.

46. 1o. The said council may provide for the establishing and maintaining of aqueducts, public wells or reservoirs to supply the said town with water, and make by-laws for the protection and management of such aqueducts, public wells or reservoirs, for preventing public water from being soiled or wasted uselessly or contrary to such by-laws, for restricting the use of the same as circumstances shall require, in the opinion of the said council, forbidding any person to give or allow any person to take such water when the council has taken it away from them as hereafter provided, and for imposing upon any person contravening any such by-law made under this section, any penalty not exceeding twenty dollars or an imprisonment not exceeding one month, or both, as the said council may think fit, over, and above all damages done to the corporation by such contravening party. 2o. And it shall be lawful for the said council, with a view of paying the interest on the sums expended for establishing and maintaining such aqueducts, and for creating a sinking fund, to assess, notwithstanding any thing contained in section thirty-fourth of said act of incorporation, all proprietors or occupants of any shop, house or other like buildings within the said town, whether said proprietor or occupant uses the said

Water supply.

water or not, at an annual special tax not exceeding one fourth per cent of the assessed value of such shop, house or other like building, or of such land on which the same is erected, and such tax shall be levied and collected under the same rules and obligations, and in the manner prescribed by sections thirty-seventh and thirty-eighth of the said act, as amended by this act; but such annual special tax shall not be payable before notice be given by the said council to the said proprietor or occupant, that they are prepared to lead said water, at their own cost, into or near said store, shop, house or other like building, and it shall be lawful for the said council, irrespectively and above said annual special tax, to provide for the payment by any person using said water, of a compensation based on such tariff or scale as the said council may deem expedient; and the proprietor of a dwelling-house or a shop with several tenants, sub-tenants or occupants, shall be bound to the payment of such compensation, if he refuses or neglects to give every such tenant, sub-tenant or occupant, a distinct and separate water-pipe: and it shall, moreover, be lawful for the said council to make special arrangements with interested parties, to supply said water for the use of steam engines, breweries, distilleries, tanneries, manufactories, mills, livery stables, hotels, or in any other particular case. 30. And it shall be lawful for the said council to stop the water supply from any person refusing or neglecting to pay the said annual special tax, or the said compensation for the use of said water, or any other tax due to the said corporation, or from any person allowing the said water to go to waste, or using the same contrary to the by-laws of the said town, or refusing to admit, as hereafter provided, within his house, or upon his property, all officers appointed by said council for the management and supervision of said aqueduct, and such person shall remain, nevertheless, responsible for the said arrears of taxes, and be bound to pay the same, and such person shall also be bound to pay any such annual special tax as aforesaid, becoming due thereafter as if he had used the said water; and the said council shall not be responsible for the quantity of water to be supplied under the authority of this section, and no person shall, by reason of the insufficiency of said water, refuse to pay such annual special tax, or such compensation for the use of said water as aforesaid. 40. And the said council may compel the proprietors or occupants of such lands or properties, within or without the said town, to allow all necessary works to be made in their properties for the purposes of this section, save and except an indemnity for actual damages thereby caused to such lands or properties: and the said council may appoint such officers as they shall

Water tax.

Stoppage of supply of water.

Compelling owners of land to allow works to be made.

think proper, for the management of such aqueduct, and such officers shall have the right to enter into any house or building whatsoever, or upon any property, within or without the said town, with a view of ascertaining whether public water is wasted or not, and whether the by-laws of the said council, relative to the aqueduct, are duly put into operation, and it shall be the duty of the proprietors or occupants of any such house, building or property, to allow said officers to visit such house, building or property, as aforesaid, under a penalty not exceeding twenty dollars, or an imprisonment not exceeding one calendar month.

Management  
of water-  
works.

47. Sub-section twenty-seventh of section thirty-fifth of § 27 of s. 35, said act is hereby repealed. repealed.

48. The third sub-section of the thirty-seventh section § 3 of s. 37, re- of said act is hereby repealed, and the following is sub- placed.  
stituted therefor :

"3. If, within fifteen days after demand is made under the preceding sub-section, the sums due by persons entered into the assessment roll, have not been paid, the secretary-treasurer may levy the same with costs, by means of attachment and sale of all goods and chattels belonging to such persons, found within said town, and such attachment and sale shall be made under a warrant signed by the mayor, such warrant addressed to a sworn bailiff in the district of Terrebonne, and may be executed by such bailiff under his oath of office, according to the same rules and under the same obligations as any warrant of attachment *de bonis*, issued by the circuit court ; and if the debtor be absent, or if no person be present to open the doors of the house, cupboards, trunks or other boxes, or if the opening of the same be refused, such executing bailiff may be authorized by an order of the mayor or any other justice of the peace, to forcibly open the same by any means used in such cases, in presence of two witnesses without waiver of the *contrainte par corps* if there be refusal, violence or other physical obstacle ; and no opposition based on the right of property or privilege upon such goods and chattels nor any other opposition shall prevent the sale or payment of assessments and costs, from the proceeds of such sale, unless the sum of ten dollars be at the same time deposited in the hands of the secretary-treasurer, and any such opposition shall, moreover, be accompanied with an affidavit in support of the allegations therein contained, and served upon the officer entrusted with the execution of said warrant of attachment, and returned before the county circuit court within eight days thereafter ; and such opposition shall afterwards be heard and adjudged upon according to the ordinary rules of procedure ; and in case the

Levying of  
taxes by  
seizure and  
sale.

Power in cer-  
tain cases to  
force open  
doors, &c.

No oppositions  
to sale without  
deposit and  
affidavit.

Proceedings  
upon op-  
positions.

conclusions of the opposition are maintained, the amount deposited, as aforesaid, shall be remitted to the person having paid the same, if not, such amount shall be imputed to the payment of the costs which shall have been incurred."

S. 39, amended.

**49.** Section thirty-ninth of said act is amended by striking out the words from the beginning of the said section to the words "six years inclusively," in the sixth line thereof, and by substituting the following words therefor:

Arrears of taxes to increase ten per cent annually.

"In all cases of non-payment of assessments due upon any lot within the said town liable to assessment, an increase of ten per cent on the amount of assessments upon such lots, shall take place yearly and be added to the arrears due on such lots, as long as they shall not be paid; and in all cases where such assessments and such increase of ten per cent shall not have been paid during a term of six years," and the said section is also amended by striking out in the thirty-second line thereof the following words "belonging to persons residing out of the said town."

Fine for infractions of by-laws and recovery thereof.

**50.** The said council may impose on any person violating or contravening any provision in their by-laws made or to be made under the said act or the amendments now made thereto, a fine not exceeding twenty dollars, or an imprisonment in the common gaol of the district, not exceeding one calendar month, or both; and any information or complaint for such violation or contravention shall be made within a month after the commission of the offence, and any prosecution being instituted may be adjudged upon the evidence of one credible witness, and no person shall be held to be an incompetent witness on account of his being a resident and rate-payer in the said town; and all fines recovered upon such prosecutions, shall be paid into the hands of the secretary-treasurer, and shall form part of the funds of the corporation.

S. 41, repealed.

**51.** The forty-first section of said act is hereby repealed.

S. 45, amended.

**52.** The forty-fifth section of said act is amended, by adding after the word "water" in the fifth line thereof, the following words "and for the building of any macadamized or other road leading to said town."

S. 50, amended.

**53.** The fiftieth section of said act is amended by adding at the end the following words:

Certain persons bound to maintenance of roads, &c., to pay special taxes for that purpose.

"8. The proprietors of real estate mentioned in the third, fourth, fifth, sixth and seventh sub-sections of this section, shall, nevertheless, be bound to the making and maintenance of roads, streets, water-courses, ditches, in conformity with the by-laws of the said council, and such

proprietors shall also be bound to pay any special tax for that purpose and as a compensation for the use of public water, as may be imposed by the said council."

**54.** Section fifty-first of said act is amended by adding at the end the following words: "and it shall be lawful for the said council to impose such duty or tax as deemed proper, upon such certificate, when they are brought before the said council for approval." S. 51, amended.

**55.** If the proprietor or occupant of any real estate within said town do refuse or neglect to make, within the delays prescribed, any work ordered by the said council under the said act of incorporation and under this act, it shall be lawful for the said council to cause such work to be made at the expense of the corporation of the said town, and to recover the cost thereof immediately from the said proprietor or occupant, with interest, by action for debt, before any court having jurisdiction, such claim of the said corporation, capital, interest, costs, bearing privilege upon said real estate, without any registration. When owners fail to perform work, council may get it done and recover cost from owner.

**56.** Section fifty-fifth of said act is amended by striking out in the French version, the word "*vente*" in the thirteenth line thereof, and substituting therefor the word "*visite*." Sec. 55, amended.

**57.** The said council shall have full power to purchase and acquire, with the funds of the said town, any piece of land whatever or part of the same within said town, as shall be deemed necessary for opening or widening any street, public square, market place, or for erecting thereon a public building, or for any other object of public utility of a municipal sort; and when the owner of such piece of land or of part of the same intended to be purchased by the said council as aforesaid, shall refuse to sell the same at private sale, or when such piece of land shall belong to minors, children yet unborn, idiots, lunatics, or married women (*femes covert*), the said council may give notice of their intention to apply on a certain day to the superior court for the district of Terrebonne, for the appointment of an arbitrator to make, with the arbitrator appointed by the said council, and that who may have been or be appointed by the interested party, the valuation of the said piece or pieces of land; and such notice shall, before application is made before the superior court as aforesaid, be published once a week during a period of two months in the Official Gazette of the province of Quebec, and in a French and an English newspaper in the district of Terrebonne or in the city of Montreal, and read at the parochial church door of Power to obtain lands for municipal purposes. Proceedings to obtain expropriation if necessary.

the said town on two consecutive Sundays, and posted in two prominent places in the said town, before such application is made before the superior court as aforesaid; and such notice shall contain a true designation of such piece of land to be expropriated, the purpose of such expropriation, and the day on which the said council shall apply to the superior court as aforesaid, and any judge sitting in the said superior court or the prothonotary of the said court may, on the day fixed in such notice or as soon as possible, appoint such arbitrator as aforesaid, and in case the interested party or his representatives do not appear or do refuse to appoint an arbitrator, then, it shall be lawful for the said judge or prothonotary to appoint another person as an arbitrator for the said interested party, to act jointly with the arbitrator appointed by the said council and the arbitrator first appointed by the said judge or prothonotary; and the said judge or prothonotary shall determine the day on which the said arbitrators shall report to the said council.

Appointment,  
duties and  
powers of  
arbitrators.

**58.** The arbitrators appointed under the next preceding section shall speedily proceed to the valuation of any piece of land decided to be expropriated by the said council, and of the damages caused by such expropriation; and they are authorized and required by these presents to hear the parties, and examine their witnesses, orally and under oath; and any decision adopted by a majority of the said arbitrators, shall stand as if all the arbitrators had concurred therein; and if the arbitrator appointed by the council, or the arbitrator appointed by the other interested party, in case such arbitrator has been appointed, die or refuse, after his appointment, to discharge the duties imposed upon him by this act, it shall then be lawful for the said council or such other interested party, to appoint another in his stead; and in case any arbitrator appointed by the court under the next preceding section, die or refuse to discharge the duties imposed upon him by this act, it shall then be lawful for the said council to apply by a summary petition to the said court to have such arbitrator replaced; provided always, that the said arbitrators may in proceeding to the valuation of the said land and real estate or part of the said land or real estate, take into consideration and determine the increase in value resulting from such expropriation, in such land or real estate, whereof a part is to be expropriated as aforesaid, and may apply the amount or part of the amount of such increase in value as compensation for the amount of the said expropriation.

Proviso.

Report of  
arbitrators  
and homologa-  
tion thereof.

**59.** When the said arbitrators shall have completed their valuation and determined the amount of such valuation and damages of such piece of land, they shall make a

report to the said council as required by the fifty-seventh section of this act, and the said council, within fifteen days after the production of such report may present to the said superior court such valuation report for homologation, and any judge of the said court after having ascertained that the procedure and formalities hereinbefore prescribed have been complied with, shall adjudicate the homologation of said report which shall be final with respect to the interested parties and shall not be subject to appeal.

**60.** The said council, within fifteen days after the homologation of the report by the said arbitrators, shall make a deposit and consignment in the office of the prothonotary of the said superior court, of the amount of valuation and damages determined in said report, and it shall be the duty of the prothonotary of the said court, to deliver an official certificate in writing of such deposit, and such certificate shall constitute a legal title for the said corporation of the said town to the ownership of such piece of land, and from that time, the proprietors and other persons interested shall be expropriated therefrom, and the said corporation may enter in possession of the same by right and without any other formality, for the purposes of such expropriation.

Council to deposit amount awarded.

Certificate of deposit to constitute a title.

**61.** Any expropriation made under this act shall have the effect of removing and expunging from any mortgage or privilege which said piece of land may then be charged with, and the amount deposited in the prothonotary's office of the said superior court as aforesaid, shall be substituted to such piece of land as far as hypothecary and privileged creditors are concerned, and such creditors shall keep their priority when the distribution of moneys so deposited shall take place; and the said superior court may decide how the creditors of the proprietor expropriated and all parties interested shall be called, and promulgate such orders as shall be deemed fair for the remittance and distribution of said moneys, or for any other thing relating to the claims of the interested parties; provided always that, when the amount shall be paid to the proprietor expropriated, such amount shall be subject to no tax or commission whatsoever, notwithstanding any law to the contrary, and if the proprietor expropriated, within six months after the deposit made in the prothonotary's office, as aforesaid, do not claim the amount so deposited, or such part of the same to which he is entitled, when the hypothecary and privileged creditors are paid as aforesaid, then, the said prothonotary may deliver such sum or such balance to the secretary-treasurer of the said council, to be deposited with the funds of the said town, and such sum shall bear interest at the rate of five per cent, and shall be payable by the said council to

Effect of expropriation upon mortgages, &c.

any person entitled thereto, capital and interest accrued thereon, within three months after a written notification to that effect shall have been given to the said council.

Secs. 56 and 57, repealed.

**62.** Sections fifty-sixth and fifty-seventh of said act of incorporation are hereby repealed.

§ 2 of s. 58, replaced.

**63.** The second sub-section of section fifty-eighth of said act is repealed, and the following substituted therefor :

Replacing valuers who fail to do their duty.

"2. Any valuator who shall refuse or neglect to discharge the duties of his office, within the delays and in the manner prescribed by the said council, shall incur a penalty of twenty dollars, and it shall be lawful for the said council, irrespectively of said penalty, to appoint one or more persons in the room of such valuator or valuers refusing or neglecting to discharge such duties as aforesaid, with the same rights, privileges and obligations as if they had been first appointed by said council."

Recovery of penalties.

**64.** All penalties imposed by this act or by any by-law made by said council under this act, may be recovered in the manner prescribed by the fifty-ninth section of the said act of incorporation.

## C A P. L X.

An Act to Consolidate and Amend the Act to Incorporate the Town of Lévis, and the divers Acts amending the same.

[Assented to 24th December, 1872.]

Preamble.

**W**HEREAS the act of the parliament of Canada, passed in the 24th year of Her Majesty's reign, chap. 70, intituled "An Act to incorporate the Town of Lévis," and the divers acts amending the same, have proved insufficient; and whereas it is expedient to consolidate all the said acts, and also to make new provisions concerning the corporation of the town of Lévis; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

The town of Lévis incorporated.

**1.** The inhabitants of that part of the parish of Notre-Dame de la Victoire, hereinafter described and determined, and their successors, have been since the eighteenth day of May, one thousand eight hundred and sixty-one, shall be, and they are hereby declared to be, a body politic and corporate, in fact and in law, by the name of "The Corpora-

1. 1. 16

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