

*the persons permitted by law to affirm in civil cases, solemnly affirm) that the several boxes to the number of now delivered by me to the said presiding officer have been handed to me by the several deputy-presiding officers at the present election for the said city of Sherbrooke, (or by,—here insert the names of the deputy presiding officers who have delivered the said boxes) and that they have not been opened by me, or any other person, and that they are in the same state as they were when they came into my possession. (If any change has taken place the deponent shall vary his deposition by fully stating the circumstances.)*

(Signature.) A. B.

Sworn (or affirmed) and subscribed before me, at the city of Sherbrooke, this day of in the year 18

(Signature.) X. Y.

Justice of the Peace

or A. B.

Presiding Officer.

or G. H.

Deputy-Presiding Officer.

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CAP. LXXXIII.

An Act to amend the various acts relating to the corporation of the town of Lachine, and to confer further powers on the said corporation.

[Assented to 21st March, 1889.]

**W**HEREAS the council of the town of Lachine has, by Preamble. petition, represented that it has become necessary, in order to meet the requirements of the population, to pass an act conferring upon the said town more extensive powers than those it possesses under the various acts which have governed it up to the present, and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

38 V., c. 78, s. 8f amended.

Persons may decline to be nominated as candidate for mayor or councillor in certain manner.

1. Section 8f of the act 38 Victoria, chapter 78, is amended by adding thereto the following subsection :

“ 3. No person shall be nominated as a candidate for the office of mayor, or councillor for any of the wards, of the town of Lachine, if he refuses to accept such office and personally places in the hands of the person presiding at the election, between the hours of ten and eleven in the forenoon, on the nomination day, a written declaration to that effect signed by him in the presence of two witnesses who shall also sign the same.”

38 V., c. 78, s. 8g replaced.

Proceedings at nomination.

2. Section 8g of the act 38 Victoria, chapter 78, is repealed and replaced by the following :

“ 8g. At ten of the clock in the forenoon on the day fixed for the nomination, the person presiding at the election, either of mayor, or of councillors for any of the wards, of the said town, shall proceed to the place where the nomination is to be held and call upon the electors present to name the persons whom they wish to elect mayor or councillors.

Who may nominate candidates for mayor.

Six of the duly qualified electors of the said town, who have paid, on or before the Thursday preceding the day fixed for such nomination, all their municipal and school taxes then due, as well as all business taxes and water rates, but exclusive, however, of the special taxes imposed in virtue of section 2 of the act 48 Victoria, chapter 71, may publicly hand to the presiding officer at the election of mayor, within the delay of one hour from the opening of the meeting, a written demand or requisition bearing their signature that the person named therein and by them proposed as candidate for mayor be elected mayor of the said town for the ensuing term.

If only one nominated to be declared elected.

If, at the expiration of such delay, there be but one candidate named or proposed as mayor in the manner above set forth, either by a single written demand or requisition or by several separate ones, the presiding officer shall thereon proclaim such candidate mayor elect of the said town for the ensuing term.

Who may nominate candidates for councillors.

In the same manner, six electors duly qualified as such in any ward of the said town, who have paid their taxes as aforesaid may, within the delay and in the manner set forth for the candidature of the mayor, publicly hand to the person presiding at the election for such ward, a written demand or requisition, bearing their signatures, that the person or persons named by them be elected councillor or councillors for such ward in which the persons making such requisition are electors.

If only number required nominated to be declared elected.

If during the delay of one hour after the opening, there be named or proposed, by a single demand or requisition

or by several separately, only the number of candidates equal to that of the councillors to be elected in the ward, and if they be the same candidates who are so proposed separately, then the person presiding at the election for such ward shall proclaim the candidate or candidates duly elected councillors for the said ward for the ensuing term.

Every election of mayor of councillors effected as aforesaid, without opposition or division shall be proclaimed on the spot by the presiding officer at the expiration of one hour from the opening of the meeting.

Proclamation of election.

2. The presiding officer shall give notice of their election within the three days immediately following the nomination day to the persons so elected mayor of the said town or councillors for any ward thereof."

Notice to be given to persons elected.

3. The following subsections are added after section 8*h* of the act 38 Victoria, chapter 78.

38 V., c. 78, s. 8*h*, amended.

" 4. Nevertheless, any candidate for the office of mayor who has been duly nominated may, at any time, before the close of the election, withdraw his candidature, by filing, in the hands of the person presiding at the election of the mayor, a written declaration to that effect, signed by such candidate in the presence of two witnesses who shall likewise sign the same.

Candidates for mayor may withdraw before close of election, and how.

On receipt of such declaration, the election being closed, the person presiding at the election of the mayor shall proclaim as mayor elect of the town of Lachine the other candidate for the mayoralty, if there remain but one, notifying him of his election in the manner specified for an election by acclamation.

Proceedings thereupon.

" 5. Any person duly nominated as a candidate for the office of councillor for any of the wards of the said town may, at any time, before the close of the voting, withdraw his candidature, by filing, in the hands of the person presiding at the election in the ward for which such person has been nominated, a written declaration to that effect, signed by such person in the presence of two witnesses who shall likewise sign the same.

Candidates for councillor may before close of election withdraw.

On receipt of such declaration, the election being closed, the presiding officer shall proclaim, as councillor elected for the said ward, the other candidate for the same office, if there remain but one, notifying him of his election in the manner specified for an election by acclamation."

Proceedings thereupon.

4. Section 27 of the act 36 Victoria, chapter 53, as amended by section 14 of the act 47 Victoria, chapter 71, is repealed as well as the said section 14, and replaced by the following :

36 V., c. 53, s. 27, and 47 V., c. 71, s. 41 replaced.

Duties of auditors.

“ 27. The auditors shall examine, approve or disapprove the books of the council as well as all unsettled accounts relating to matters within the jurisdiction of the council or respecting the latter.

Report by auditors.

They shall draw up a report on the whole matter which they shall send to the council during the month of January in each year.”

36 V., c. 53, s. 43, and 45 V., c. 104, s. 1, replaced.

5. Section 43 of the act 36 Victoria, chapter 53, as amended by section 1 of the act 45 Victoria, chapter 104, and the said section 1 are repealed and replaced by the following :

Power of council to borrow money for improvements, water-works, &c.

“ 43 The said council may, from time to time, borrow sums of money, to the amount of one hundred and fifty thousand dollars, and employ such sums in making public improvements in the town, in erecting one or more markets, in draining the streets, in supplying water through the city, and for such other purposes as the council may deem useful and necessary, and which shall be mentioned in the by-laws.”

36 V., c. 53, s. 53 amended.

6. Section 53 of the act 36 Victoria, chapter 53, is amended by striking out the words “ the office of mayor, thirty dollars currency ” in the eighth line and also by striking out the words “ office of councillor, twenty dollars currency ” in the ninth line.

45 V., c. 104, s. 15 amended in French version.

7. Section 15 of the act 45 Victoria, chapter 104, is amended by striking out the word “ cinq ” in the French version, where the said word occurs for the first time in the sixth line.

48 V., c. 71, s. 10 amended.

8. Section 10 of the act 48 Victoria, chapter 71, is amended by striking out the words “ and Protestant ” in the third and fourth lines and replacing them by the words “ and another copy on or near the door of a Protestant Church.”

Application of certain articles of R. S. Q.

9. Articles 4454, 4561, 4562, 4563, 4564, 4565, 4566, 4567, 4568 and 4569 of the Revised Statutes of the Province of Quebec shall apply to the corporation of the town of Lachine.

Powers of council of town declared as to by-law, &c., for opening water-course to drain certain lots.

10. To remove all doubts as to the extent of the powers conferred upon the council of the town of Lachine by subsection 5 of section 29 of the act 38 Victoria, chapter 78, and by article 4454 of the said Revised Statutes, it is enacted that the council of the town of Lachine may, by by-law, order the opening, construction and maintenance of a water-course of sufficient size to drain the lots known

as numbers 181, 184, 197, 198, 223, 238, 254, 262, 293, 395, 709, 751, 752, 753, 754, 772 and 802 of the cadastre of the town of Lachine and of some building lots situate in the vicinity of the said lots and to continue such water-course as far as the stream known as the *Rivière Saint Pierre*, within the limits of the parish of Saints Anges de Lachine, and also the deepening of the said stream, if it be deemed necessary to do so, for the better draining of such lots as far as the public road known as the Upper Lachine Road.

Provided, however, that it shall never be permitted to use the said water-course for the purpose of conveying filth or other matters hurtful or dangerous to the public health; but the council of the town of Lachine shall be bound to pay all damages which may be caused by such works, which damages shall be ascertained and estimated as in the case of expropriations for municipal purposes.

Prohibition from converting same into a sewer.

**11.** The preceding provisions shall be deemed to form part of the act 36 Victoria, chapter 53; and the provisions of the act 36 Victoria, chapter 53, 38 Victoria, chapter 78, 45 Victoria, chapter 104, and 48 Victoria, chapter 71, which are inconsistent with the provisions of this act, are repealed.

Act to form part of act 36 V., c. 53, and certain inconsistent provisions of certain acts repealed.

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

Coming into force.

#### C A P . L X X X I V .

An act to amend the act 47 Victoria, chapter 90, and to confer further powers on the town of Sainte Cunégonde.

[Assented to 21st March, 1889.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Section 60 of the act 47 Victoria, chapter 90, is replaced by the following :

47 V., c. 90, s. 60 replaced.

“ 60. In addition to the usual mode of collecting taxes authorized by chapter first of title eleventh of the Revised Statutes of the Province of Quebec, respecting town corporations, the council of Sainte Cunégonde may cause the immoveables on which taxes have not been paid to be sold in the manner set forth in the Municipal Code from article 998 to article 1025, inclusively, by the secretary-treasurer of the council of the county of Hochelaga, who is subject to the provisions of article 373 of the said Code.”

Certain additional powers conferred upon council as to sale of immoveables for non-payment of taxes.