

appointments by the Lieutenant-Governor in Council, shall apply to the appointments to be made under this clause, where any council fails to appoint a new arbitrator within two weeks from the date of the death or incapacity of its arbitrator so dying or becoming incapacitated.

(d) The award of the said arbitrators, or a majority of them, shall be binding and final.

(5) The fees of the arbitrators, including the cost of the award, shall not in any case exceed \$75, and shall be paid by the town or village municipality from which said lands are detached and the municipality to which said lands are annexed, in equal shares.

(6) After the separation of such lands from the town or village, the municipality to which the same shall be annexed, shall pay to the town or village from which such lands have been taken, such part, if any, of the debts of the town or village, as may have been agreed upon or determined by arbitration, and shall be entitled to receive from and be paid by the said town or village, the value of the interest, which, at the time of such separation, the lands so separated had in the property or assets of the town or village as hereinbefore provided.

(7) The application for separation of lands from such town or village, under this section, shall be by petition to the Lieutenant-Governor in Council, and same shall define, by metes and bounds, the new limits intended for such town or village, but the town or village shall not, by such change of boundaries, be reduced in population below the number of seven hundred and fifty souls.

(8) The municipal privileges and rights of the town or village, shall not be thereby diminished or otherwise interfered with, as respects the remaining area thereof.

TIME WHEN PROCLAMATION ADDING TERRITORY TO CITY OR TOWN TAKES EFFECT.

3. Section 24 of *The Municipal Act*, is amended by inserting therein after the word "proclamation" in the fifth line of the said subsection, the words, "to take effect on some day to be named therein or in any further proclamation in amendment thereof."

CONSTITUTION OF COUNCILS IN CITIES — REDUCING NUMBER OF ALDERMEN.

4. Section 70 of *The Municipal Act*, is repealed and the following substituted therefor:

70. Subject to the provisions of section 71a of this Act, the council of every city shall consist of the mayor, who shall be the head thereof, and three aldermen for each ward, to be elected in accordance with the provisions of this Act, provided always that the council of any city may, on or before the first day of November in any year, pass a by-law reducing the number of aldermen for each ward to two, and at the next municipal election, and thereafter, two aldermen shall be elected for each ward; but such a by-law, before the final passing thereof, shall receive the assent of the electors of the municipality, qualified to vote at municipal elections. Provided that this section shall not affect the right of any city to have four aldermen for each ward under the provisions of any special legislation in that behalf.

MEMBERS OF SCHOOL BOARD DISQUALIFIED AS COUNCILLORS.

5. Section 80 of *The Municipal Act*, is amended by inserting therein, after the word "trustee" in the eighth line, the words "and no member of a school board for which rates are levied," but this amendment shall not apply so as to disqualify any person elected prior to the passing of this Act.

ADMINISTRATION OF OATHS BY RETURNING AND DEPUTY-RETURNING OFFICERS.

6. Section 117 of *The Municipal Act* is amended by inserting therein after the word

"be" in the third line thereof the words "when-ever he shall think proper or."

DATE OF NOMINATIONS IN CITIES OF 100,000.

7.—*The Municipal Act* is amended by adding thereto the following section immediately after section 119:

119 a.—In cities having a population of 100,000 inhabitants, or more, the council thereof may by by-law to be passed not later than the 15th November in any year, enact that the meeting of electors for the nomination of candidates for the offices of mayor and aldermen shall be held on the Monday preceding the last Monday in December, and that the meeting of electors for the nomination of public school trustees shall be held on the last Monday in December.

NOMINATIONS TO BE MADE WITHIN ONE HOUR FROM BEGINNING OF MEETING.

8.—Subsection 1 of section 128 of *The Municipal Act* is amended by adding at the end thereof the words "and be filed with the returning officer or the chairman within one hour from the time of opening of the meeting."

PENALTY FOR VOTING MORE THAN ONCE FOR ALDERMAN OR COUNCILLOR.

9.—Section 162 of *The Municipal Act* is amended by inserting therein the following as subsection (1a),

(1a) Any person who votes for aldermen or councillors in a city or town in which the aldermen or councillors are elected by general vote, after having already voted for aldermen or councillors in the city or town at some other polling place at that election, and any person who votes for aldermen in a division of a city in which the aldermen are elected in two electoral divisions after having already voted for aldermen in the same division, shall incur a penalty of \$50, to be recovered with full costs of suit by any person who shall sue for the same in a division court having jurisdiction where the offence was committed; and any person against whom judgment was rendered shall be ineligible either as a councillor or an elector at the next annual election.

ADMINISTRATION OF OATH TO DEPUTY-RETURNING OFFICER AND POLL-CLERK.

10.—Section 313 of *The Municipal Act* is amended by adding thereto the following subsection:

(2) Whenever by this Act any oath or affirmation or declaration is required to be taken or made by a deputy-returning officer, and no special provision is made therefor, the same may taken or made before the returning officer for the ward or municipality, or before the poll-clerk, or before any justice of the peace having jurisdiction in the municipality; and the deputy-returning officer or any justice of the peace may administer any oath or affirmation or declaration required to be made by a poll-clerk under the provisions of this Act.

TIME AND MODE OF PAYMENT OF DEBENTURES IN TOWNS.

11. Subsection 4 of section 384 and subsection 1 of section 386 of *The Municipal Act* (as amended by section 15 of *The Municipal Amendment Act, 1898*) are amended by striking out in each of them the words "in towns having a population of 5,000 or under."

SECOND-HAND DEALERS, ETC., IN VILLAGES NOT TO PURCHASE FROM MINORS.

12. Paragraph 4a of section 484 of *The Municipal Act*, as amended by section 20 of *The Municipal Amendment Act, 1900*, is amended by inserting after the word "town" in the second line, the words "or village."

ACQUIRING SITES FOR DRILL-SHED OR ARMOY.

13. Section 534 of *The Municipal Act* is amended by adding thereto the following:

By councils of cities or towns:

(4) For entering upon, taking and acquiring so much land in the municipality as may be required for the purposes of a drill-shed or armoury for any militia or volunteer force having their headquarters at the municipality, without the consent of the owners of such lands, making due compensation therefor to the parties entitled thereto under the provisions of this Act, or for acquiring by purchase, with the consent of the owners thereof, such lands for the purposes aforesaid, and for issuing debentures of the corporation, for the amount, sufficient to pay such compensation or purchase money, and any debt incurred under such by-law shall be payable within thirty years from the date of the issue of the debentures, and it shall not be necessary to obtain the consent of the electors to any by-law passed under this subsection, but a two-thirds vote of the council shall be required.

14. Section 539 of *The Municipal Act* is amended by striking out the words added at the end of the said section, by section 18 of *The Municipal Amendment Act, 1901*, and inserting the said words at the end of the paragraph numbered 2 in the said section 539.

KEEPING AND STORING OF GASOLINE.

15. Section 542 of *The Municipal Act* is amended by adding thereto the following, as subsection 17e:

17e. For regulating the keeping and storing of gasoline, for prescribing the materials of which vessels containing the same shall be composed and the classes of buildings in which the same may be stored and kept for sale, and for the prevention of accidents from the combustion or explosion of gasoline.

CLEANING EARTH CLOSETS.

16. Section 551 of *The Municipal Act* is amended by adding thereto the following subsections:

4a. For directing and regulating the payment by the owners, lessees or occupants of real property, of the expense of cleaning and disposing of the contents of earth closets, privies and privy vaults, and of adding such expense to the collector's bill, and collecting the same in like manner and with other municipal taxes.

4b. A municipality may undertake the work in the last subsection referred to, as a municipal service, and in such event the said work shall be done exclusively by the officers and workmen employed by such municipality in such service, and the municipality, its officers and workmen shall, in such case, have all the powers and authorities conferred upon the local board of health and its officers and workmen.

4c. A municipality may provide by the same or any other by-law, for the collection in any other manner than by adding expense to the collector's roll, for extra or other services set forth in such by-law or referred to in subsection 4a, or may collect for such services by action at law.

4d. A municipality or its officers may contract or agree with owners, lessees or occupants, for the payment for services hereinbefore referred to, and, in default of payment, may collect the amounts from time to time due under such contract by action at law or by adding the said amounts to the collector's roll and collecting the same with other municipal taxes.

ESTABLISHMENT OF PUBLIC SCAVENGING SYSTEMS.

17. Section 552 of *The Municipal Act* is amended by adding thereto the following subsections:

(2) By-laws may be passed by the councils of cities and towns, for any of the purposes mentioned in section 551, as amended hereby, and for establishing, maintaining and regulating a system of public scavenging or system for the collection and disposal of ashes, refuse and