

WHEN REQUIRING THE ASSENT OF THE GOVERNOR IN COUNCIL.

When the assent of the Governor is required to By-laws.

197. The facts required by this Act to be recited in any By-law which requires the approval of the Governor in Council, shall, before receiving such approval, be verified by solemn declaration, by the Head of the Council, and by the Chamberlain or Treasurer and Clerk thereof, and by such other persons and on such other evidence as to the Governor in Council satisfactorily proves the facts so recited; or in case of the death or absence of any such Municipal Officer, upon the declaration of any other Member of the Council whose declaration the Governor in Council will accept.

WHEN AND HOW QUASHED.

By-laws, how to proceed in order to quash.

198. In case a resident of a Municipality, or any other person interested in a By-law, order or resolution of the Council thereof, applies to either of the Superior Courts of Common Law, and produces to the Court a copy of the By-law, Order or Resolution, certified under the hand of the Clerk and under the corporate seal, and shews, by affidavit, that the same was received from the Clerk, and that the applicant is resident or interested as aforesaid, the Court, after at least four days' service on the Corporation of a rule to shew cause in this behalf, may quash the By-law, Order or Resolution, in whole or in part for illegality, and according to the result of the application, award costs for or against the Corporation; Provided always, that no application to quash any such By-law, Order or Resolution, in whole or in part, shall be entertained by any Court unless such application shall be made to such Court within one year from the passing of such By-law, except in the case of a By-law requiring the assent of electors or rate-payers, when such By-law has not been submitted to, or has not received the assent of such electors or rate-payers, and in such case an application to quash such By-law may be made at any time.

Proviso: time within which application must be made.

WHEN CONFIRMED BY PROMULGATION.

Time after which By-law cannot be quashed, if properly promulgated.

199. In case a By-law by which a rate is imposed has been specially promulgated in the manner hereinafter specified, no application to quash the By-law shall be entertained after six months have elapsed since the promulgation.

What shall be such promulgation.

200. Every special promulgation of a By-law within the meaning of this Act shall consist in the publication, through the Public Press, of a true copy of the By-law, and of the signature attesting its authenticity, with a notice appended thereto of the time limited by Law for applications to the Courts to quash the same or any part thereof.

And if the By-laws imposes any rate.

201. In the case of a By-law by which a rate is imposed, the promulgation shall be either by such publication of a copy
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