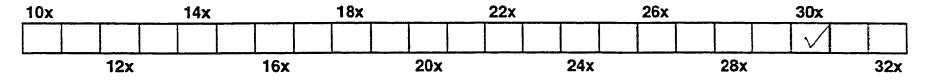
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2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

An Act to amend the Lower Canada Consolidated Municipal Act.

Received and read, 1st time, Friday, 27th February, 1863.

2nd Reading, Monday, 2nd March, 1863

Mr. O'HALLOBAN.

QUEBEC :

PRINTED FOR THE CONTRACTORS BY HUNTER, ROSE & LEMIEUX, ST. URSULE ST. No. 24.

An Act to amend the Lower Canada Consolidated Municipal Act.

FOR the purpose of amending the Lower Canada Consolidated Munici-Preamble. pal Act, chapter twenty-four of the Consolidated Statute for Lower Canada, her Majesty by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :---

5

POWERS COMMON TO ALL MUNICIPAL COUNCILS.

1. To paragraph eight of section twenty-four the following proviso Paragraph added. Total shall be added: amount of a

"Provided that the total amount of rates so raised and levied in rates limited." any municipality for any one year, shall not exceed Cents

- 10 upon the dollar of the annual value of the assessable property in such municipality, reckoning the annual value at the rate of six per centum
- per annum upon the actual assessed value of such property; unless such rates be imposed to satisfy some judgment, or to discharge some obligation or liability existing against such Municipality at the time of
- 15 the passing of this Act."

SPECIAL POWERS OF COUNTY COUNCILS.

2. The tenth, eleventh, twelfth, thirteenth, fourteenth and fiftcenth Puragraph repealed. paragraphs of section twenty.six, are hereby repealed.

POWER COMMON TO ALL LOCAL COUNCILS.

3. Paragraph sixteen of the twenty-seventh section is hereby repealed, Paragraph .20 and the following shall be substituted in the place and stead of said repealed. paragraph so repealed :-

"16. Every Local Council shall also have power to make, in the New provis-month of March of every year, By-laws (not being inconsistent with ion. Local Councils may 25 the provisions of chapter six of the Consolidated statutes for Lower make by-laws Canada) for the following objects, that is to say:-

- respecting uous liquors,
- First .- For prohibiting and preventing the sale of all spirituous, sale of spirit vinous, alchoholic and intoxicating liquors, or to permit such sale, sub- dc. ject to such limitations as they shall consider expedient.
- Second.—For determining under what restrictions and conditions, 30 and in what manner the Collector of Inland Revenue of the district shall grant licences to shop-keepers, or others, to sell such liquors.

Third.—For fixing the sum payable for each such license, but such sum shall in no case be less than the sum payable therefor on the first 35 day of July, one thousand eight hundred and fifty-six.

Fourth.-For the ordering and governing of all shop-keepers, tavernkeepers, or other retailers of such liquors, in whatever place they may be sold, in such manner as the council deems proper and expedient for the prevention of drunkenness. And no Collector of Inland Revenue 40 shall grant any license for the sale of any such liquors aforesaid, in any

local municipality in which such sale has been prohibited by by-law; nor in any local municipality where a by-law determining the restrictions and conditions under which such license may be granted has been passed.

111

otherwise than in conformity with the provisions thereof, provided a copy of such By-law has been transmitted by the Secretary Treasurer to such Collector of Inland Revenue.

BOADE.

Roads public-4. After paragraph eighteen of section forty the following para- 5 ly used for a graph shall be added :certain time

"19. And any road left open to and used as such by the public, without contestation of their right, during a peri d of ten years and upwards, shall be held to have been legally declared and established as a Public Highway by some competent authority, and to be a Road 10 within the meaning of this Act."

OLD PROCES VERBAUX, BY-LAWS AND REPARTITIONS

5. After paragraph five of section forty-four, the following para-As to Proces Verbaux graph shall be added :obliging in-

"6. Every proces verbal, By-Law or Order, touching any Road, 15 Bridge or Water-course, which requires any local Municipality, or the pality to work inhabitants or any portion of the inhabitants of any local Municipality n roads, &c. in which such Road, Bridge, or Water-course is not situate, to contribute in any manner to the making, repairing, or maintaining of the same, which shall not have been made or consented to by the Munici- 29 pal Council of the said local Municipality, is here y repealed and annulled, in so far as such local Municipality and the inhabitants thereof so bound to contribute are concerned."

PUBLIC WORKS MADE BY ASSESSMENT.

6. Notwithstanding anything contained to the contrary in the fifty- 25 53, any local third section of the said Act, the Council of any local Municipality Council may may, by any By-law to come into force on the first day of January order roads in next after the time of its passing, en et, that the Roads, with the exception of the public Bridges thereon, in such local Municipality, which the owners or oc upiers of land in such local Municipality, or any of 30 them, are bound to make and maintain, shall thereafter be made and maintained, not by money to be raised for that purpose by assessment, but by repartition or apportionment of labour, to be made in accordance with the provisions of the forty-seventh section of the said Act.

DUTIES OF SECRETARY TREASURES.

7. Whenever the Municipal Council of any Registration County or tain Registra- Division which contains within its limits for registration purposes any territory which heretofore formed part of a different Registration ments affect County or Division, shall not have procured from the Registrar of the Registration Division in which such territory was formerly included, 40 copies of the enregistered entries affecting all real property within such territory, or abstracts of the same, as prescribed by the ninetyfourth section of the thirty-seventh chapter of the Consolidated Statutes for Lower Canada, it shall be the daty of the Secretary Treasurer of has not done such Municipal Council to procure from the said Registrar having the 45 so. custody thereof, copies of so much of the alphabetical indexes, lists, and minute books required to be kept by the sixty-first, sixty-second, and sixty-third sections of the thirty-seventh chapter of the Consolidated Statutes for Lower Canada, as relates to the real property included in the said territory, duly certified by the said Registrar, and to 50 deposit the same in the Registry Office of the Registration Division within which such territory is now situate; and the reasonable expense

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habitants of

one Munici-

in another.

Bec. Treas. to preoure certion docuing territory then in the County but having formerly been in another, if the Council

85

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of procuring the said copies shall be paid by the County Municipality within which such territory is situate.

INTERPRETATION.

8. In this Act, the sections referred to, when not otherwise men- How this Act 5 tioned, are the sections of the Lower Canada Consolidated Municipal shall be con-Act; the paragraphs referred to are the paragraphs or sub-sections of the said Act; and this Act shall be construed as forming part of the Lower Canada Consolidated Municipal Act; and any citation of, or reference to, the "Lower Canada Consolidated Municipal Act" here-10 after made shall mean the said Act as amended by this Act and previous Acts amending the said Act.