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No. 49.

4th Session, 8th Parliament, 29th Vic., 1865.

BILL.

An Act to amend and consolidate the provisions contained in the Acts and Ordinances relating to the incorporation of the City of Quebec, and to vest more ample powers in the corporation of the said city.

[No. 121 of 1865—1st Session.]

HON. MR. ALLBYN.

QUEBEC:

PRINTED BY HUNTER, ROSE & CO.,
ST. URSULA STREET.

An Act to amend and consolidate the provisions contained in the Acts and Ordinances relating to the incorporation of the City of Quebec, and to vest more ample powers in the Corporation of the said City.

N. B.—The clauses and provisions within inverted commas are new.

WHEREAS it is expedient to amend and consolidate the Acts and ordinances relating to the incorporation of the City of Quebec, and to vest more ample powers in the Corporation of the said city: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. The inhabitants of the City of Quebec shall form and be a body corporate in fact and in name, by and under the name and title of the Mayor, Councilors and Citizens of the City of Quebec. Corporate name.
2. The said Corporation shall have perpetual succession, and a common seal, with power to break, renew, change and alter the same at pleasure, and may sue and be sued, implead and be impleaded, in all courts of law and equity, and other places, in all manner of actions, causes and matters whatsoever, and may accept, take, purchase and hold goods and chattles, lands and tenements, real and personal, movable and immovable estate, and may grant, sell, alienate, assign, demise and convey the same; and may enter into and become a party to contracts; and give and accept any bills, bonds, judgments, or other instruments or securities for the payment or securing the payment of any money borrowed or lent, or for the performance or securing the performance of any duty, matter or thing whatsoever. General Powers.
3. The City of Quebec, for all municipal purposes, comprises the whole extent of land within the limits assigned to the said city by a certain Proclamation of His Excellency Sir Alured Clarke, bearing date the seventh day of May, one thousand seven hundred and ninety-two, and in addition thereto, all land extending to low water mark of the River St. Lawrence, in front of the said city, including the shore of the River St. Charles, opposite the said city, as limited by high water mark on the north side of the said river, from the prolongation of the west line of St. Ours street, to the west line of the farm of the Nuns of the Hôtel Dieu, thence running southward, along the said line about five hundred and fifty feet, to the southern extremity of a pier erected on the said farm, at low water mark; thence running due east, about eight hundred feet, to the intersection of the line limiting the beach grants of the seigniority of Notre Dame des Anges, at low water; and finally thence along the said beach line running north forty degrees east, to the intersection of the prolongation of the line of the Commissioners for the Harbour of Quebec, and thence following the said Commissioners' line, to the westerly line of Boundaries of the City.

the city; the said city also comprises all wharves, piers and other erections, made or to be made in the said River St. Lawrence, opposite to or adjoining the said city, though extending beyond the low water mark of the said river, and being within the said Commissioners' line and even beyond the same, should it be hereafter extended or reduced.

- City divided into Wards. **4.** The said city is divided into eight wards, to wit:—St. Lewis Ward, Palace Ward, St. Peter's Ward, Champlain Ward, St. Roch's Ward, Jacques Cartier Ward, St. John's Ward and Montcalm Ward, and these wards are respectively bounded as follows: 10
- St. Lewis Ward. St. Lewis Ward comprises all that part of the Upper Town within the fortifications, and south of a line drawn from Prescott Gate to St. John's Gate, along the middle of Mountain street, Buade street, Fabrique street, and St. John street.
- Palace Ward. Palace Ward comprises all that part of the Upper Town within the 15 fortifications, and not included in St. Lewis Ward.
- St. Peter's Ward. St. Peter's Ward comprises all that part of the Lower Town bounded on the south by a line drawn in the middle of Sous-le-Fort street, and prolonged in the same direction to low water mark in the River St. Lawrence at the one end, and to the cliff below the castle of St. Lewis 20 at the other, and on the west by the eastern limits of the parish of St. Roch, together with all the wharves, piers and other erections, opposite to this part of the Lower Town, although built beyond low water mark in the said river.
- Champlain Ward. Champlain Ward comprises all that part of the Lower Town lying 25 between St. Peter's Ward and the limits of the said city, together with all wharves, piers and other erections, opposite thereto, although built beyond the low water mark in the said river.
- St. Roch's Ward. St. Roch's Ward comprises all that part of the parish of St. Roch which lies within the limits of the said city of Quebec, on the north 30 west side of a line drawn in the middle of St. Joseph street, from one end to the other.
- Jacques Cartier Ward. Jacques Cartier Ward comprises all that part of the parish of St. Roch which lies within the limits of the said city of Quebec, not 35 comprised in St. Roch's Ward.
- St. John's Ward. St. John's Ward comprises all that space bounded by Jacques Cartier Ward, the fortifications, the limits of the said city on the west, and a line drawn in the middle of St. John street from St. John's Gate to the western limits of the city.
- Montcalm Ward. Montcalm Ward comprises all that space bounded by the fortifica- 40 tions on the east, and on the west by the city limits, on the north by St. John's Ward, and on the south by the *cime-du-cap* of the St. Lawrence.
- City Council. **5.** The City Council represents, and acts for and on behalf of the said corporation, and is composed of the Mayor and twenty-four coun- 45 cillors, forming together, twenty-five members.
- The Mayor. **6.** The Mayor shall be elected annually by the qualified municipal how elected. electors of the said city.

- 7.** If a vacancy should occur, during the year, in the office of Mayor, the said City Council shall, at the first meeting of the said Council thereafter, elect from among the members of the said Council another fit person to be Mayor for the remainder of the period for which the Mayor whose place is to be supplied was to serve; but such election by the Council shall not render the seat of the Councillor so elected vacant. Vacancy in the office of Mayor, how filled.
- 8.** Whenever the Mayor is absent from the city, or is incapable from sickness of discharging his duty, the Council shall elect from among the members of the said Council, one who, during such absence or sickness shall possess all the power, authority and rights vested in the Mayor. Absence or sickness of the Mayor.
- 9.** The Mayor shall not be competent to act as such until he shall have taken the oath of allegiance, and oath of qualification contained in Schedule A of this Act. Mayor to take oaths.
- 10.** Any person duly elected to the office of Mayor who shall refuse to accept the same, shall pay a fine of one hundred pounds currency; and if the Mayor shall absent himself from the city during more than three consecutive calendar months (except in case of sickness or on public business), he shall in such case cease to hold office as Mayor, and shall be liable to the penalty appointed for refusal to accept such office. Refusal of Office of Mayor, &c.
- 11.** The Mayor shall be *ex-officio* a Justice of the Peace for the City and District of Quebec. The Mayor a Justice of the Peace.
- 12.** The Mayor shall receive out of the funds of the said City, a salary to be fixed by the Council, and which shall not exceed three hundred pounds, nor be less than one hundred and fifty pounds, currency. Mayor's salary.
- 13.** Each Ward of the City shall be represented in the City Council by three councillors, who shall be severally elected for three years, by the duly qualified electors of such ward. Councillors for each ward.
- 14.** One third part of said Council shall be renewed annually, by the retirement of one councillor from each and every ward. Council, how renewed.
- 15.** No councillor shall be capable of acting as such until he shall have taken the oath of allegiance and of qualification contained in the schedule A of this Act. Councillors to take an oath.
- 16.** Any person who neglects or refuses to accept the office of councillor, after having been duly elected thereto; and any councillor who shall neglect or refuse to discharge his duty as such, or shall absent himself from the city, during more than six consecutive calendar months (except in case of sickness, or on the business of the said corporation), shall incur a penalty of fifty pounds currency, and the seat of such councillor shall thereby become vacant. Councillors, absenting and refusing office, &c.
- 17.** Every councillor elected for more than one ward of the city, shall within three days after he has received notice thereof, make known his choice, in writing, to the city clerk, in default of which the Mayor shall make the choice for him; and every councillor shall within forty-eight hours, after he shall have been notified of his election, give notice in writing to the city clerk, of his acceptance of the Notice of acceptance of Councillors.

office of councillor:—In case of his non-acceptance or failure to discharge the duties of the said office of councillor within the time prescribed, the Mayor shall name another person in his place, and such appointment shall be valid until the next succeeding annual election. The person or councillor elected to the office of councillor who shall fail to give the city clerk the prescribed notice, shall incur a penalty of fifty pounds currency.

Councillors
ex-officio Jus-
tices of the
Peace.

18. Every councillor shall be *ex-officio* a Justice of the Peace for the City of Quebec.

Resignation
of Councillors.

19. Any councillor may, at the expiration of six months' tenure of office, and with the consent of three fourths of the councillors present at any meeting of the said Council, resign his office of councillor.

Qualification
of Mayor and
Councillors.

20. No person shall be capable of being elected Mayor or Councillor of the said city, unless he shall have been a resident householder within the said city, for one year next before such election, nor unless he shall be seized or possessed to his own use of real or personal estate, or both, within the said city, after payment or reduction of his just debts, of the value of five hundred pounds currency; nor unless he is a subject of Her Majesty, by birth or naturalization, and of the full age of twenty-one years.

Qualification
of Auditors.

21. No person shall be capable of being elected Auditor unless he shall have been a resident householder within the City of Quebec for one year next before his election, and is a subject of Her Majesty, by birth or naturalization, and of the full age of twenty-one years.

Qualification
of Assessor.

22. No person shall be eligible as Assessor unless, in addition to the qualifications mentioned in the preceding clause, he is seized or possessed to his own use of real or personal estate, or both, within the city, after payment or deduction of his just debts, of the value of two hundred and fifty pounds currency.

Voters' Quali-
fication.

23. Every person shall be entitled to vote at the election of Mayor, or one or more councillor or councillors, who shall be at least of the age of twenty-one years, who shall be assessed as provided for by this Act, and shall have paid his assessments one month at least before such election, and shall be a subject of Her Majesty, by birth or naturalization, and whose name shall be on the voters' list of the ward in which he desires to vote.

Pecuniary
qualification
of Proprietors
and Co-proprietors.

24. No person shall be entitled to vote as proprietor unless the assessed annual value of his property amounts to at least eight dollars, nor as co-proprietor unless his share of the annual value of the property be assessed at the same amount.

Pecuniary
qualification
of Tenant,
Occupants,
Usufructu-
ary, &c.,

25. No person shall be entitled to vote as a tenant, occupant, or usufructuary unless the assessed annual value of the property he occupies, or of which he has the enjoyment, amounts to the sum of thirty-two dollars.

Disqualifica-
tion of Mayor
and Councillors.

26. No person being in Holy Orders or being a minister or preacher of any dissenting sect, or religious congregation, nor any Judge, nor clerk of any court, nor any member of the Executive Council, nor any person accountable for the city revenue, or receiving any pecuniary allowance from the city for his services, nor any clerk,

or assistant employed by him at any such election, while so employed; nor any person convicted of treason or felony in any Court of Justice in any of Her Majesty's possessions; nor any contractor with the Corporation, or who has a share in any contract or agreement, or is the surety of any contractor with the said Corporation, shall be capable of being elected a Councillor for the said City.

27. If the Mayor or any Councillor shall be declared bankrupt, or shall apply to take the benefit of any Act for the relief of insolvent debtors, or compound with his creditors, or being Mayor shall be absent from the City for more than three calendar months, or being a Councillor, for more than six calendar months, at one and the same time, except on account of illness or public business; or if the Mayor or any Councillor shall have a share in any contract or agreement with the said Corporation, either directly or indirectly, or shall be the surety of any contractor with the said Corporation, or derive any emolument or advantage, either directly or indirectly, from any such contract with the said Corporation, the office of Mayor and of such Councillor shall thereby become vacant; and in case of there being any such contract or surety, the Mayor or Councillor concerned therein, shall be liable to a fine of one hundred dollars, to be recovered before the Recorder's Court of the City of Quebec, for each and every day that such Mayor or Councillor shall thus illegally hold office as such Mayor or Councillor.

Office of Mayor and Councillor to be vacant in certain cases.

Penalty on Mayor or Councillor holding contracts with Corporation.

28. The election of the Mayor, or of any Councillor, shall be declared null and void by any competent Court before which it shall be proved that such Mayor or Councillor has given any sum of money, office, place, employment, gratuity, reward or any bond, bill or note, or conveyance of land, or made any promise to give or do any one or more of such acts or things, or to have threatened any elector that he would cause him to lose any office, salary, income or advantage, either by himself or by his authorized agent for that purpose, with the intent to corrupt or bribe any elector to vote for him as candidate for the office of Mayor or Councillor, or to keep back any elector from voting for any other candidate for the same, or to open and support, or cause to be opened and supported at his costs and charges, any house of public entertainment for the accommodation of the electors.

Bribery or corruption will render seat of Mayor and Councillor vacant.

29. The persons hereinafter mentioned shall be exempted from serving in any municipal office, to wit:—

Persons exempted from serving in any Municipal office.

1. All persons above the age of sixty-five years who shall claim exemption within five days after having received official notice of their election;

2. All persons disabled by lunacy or imbecility of mind;

3. All military, naval or marine officers in Her Majesty's service on full pay, Members of the Provincial Legislature, the Judges of any Court of Law residing in the said city, the Adjutant-General and Deputy-Adjutants-General of Militia, Officers of the Customs, Sheriffs and Coroners, School Masters, the clerks and commissioned officers of the Legislature and of the Executive Council, and the Postmaster and his deputies.

List of voters. **30.** Before the first day of November in each and every year the assessors shall prepare for each ward, from the assessment books for the then current year, an alphabetical list of all persons who shall appear by such books to be assessed at rates sufficiently high to entitle them to vote in such ward, and shall certify each of such lists, 5 and give them to the City Clerk before the said first day of November to be posted up in his office, where they shall remain posted up till the fifteenth day of the said month of November, both days included, from nine o'clock in the morning till four o'clock in the evening, and the City Clerk shall, before the said first day of November and up to 10 the said fifteenth day of November, cause a notice of their being so deposited in his office to be published in one French and in one English newspaper in the said city.

Claims of voters against the list of voters. **31.** Any elector who shall desire to have his name added to the list of any ward, or to have any name erased therefrom, shall prefer 15 his request, in writing, and over his own signature, indicating his place of residence, and the name of the ward in which he resides, and shall cause the same to be delivered to the City Clerk on or before the said fifteenth day of November, at four o'clock in the evening. 20

Board of Revisors. **32.** The Mayor of the City of Quebec, the Recorder of the City of Quebec, the Judge of the Sessions of the Peace in and for the City of Quebec, the Prothonotaries of the Superior Court for the District of Quebec, the Sheriff of the District of Quebec, the Clerk of the Crown for the District of Quebec, and the Registrar of the County of 25 Quebec, shall form a Board of Revisors to revise the said lists of voters, and the Mayor shall preside at the meetings of the said Board."

Quorum. **2.** Three of the members present at any meeting of the Board may exercise all the powers and attributes conferred on the Board by this or any other Act." 30

33. Before entering on their duties, the members of the said Board shall make oath before a Justice of the Peace for the District of Quebec, impartially to discharge the duties of their office, and an entry of the said oath of office having been taken shall be made in the minutes of the meeting of the said Board. But each member 35 shall take the said oath of office once only during the time he will act as member of the said Board."

Meeting of Board for the revision of lists. **2.** The said Board shall meet on the twentieth day of November of each year, in the City Hall, at the hour specified in the notice to be given for that purpose. If the said day is a Sunday or a holiday, 40 the meeting will be held on the next following juridical day."

Adjournment **3.** If by some unforeseen cause or accident a sufficient number of the members of the said Board are unable to be present on any one of the days fixed by this Act, the said Board may adjourn to the following day, and notice of the adjournment shall be given to each 45 member of the said Board."

Duty of Board in relation to revision of lists. **34.** The Board shall each year, at the time hereinbefore mentioned, revise the lists of such voters, and shall admit or reject to the best of its judgment, the legal claims or demands for the insertion of additions to or erasures from the said lists. 50

2. They shall hear persons present who have made the said demands or claims or their duly authorized attorneys; to admit or reject the same, and to adjourn from time to time until all the lists shall be revised. Hearing of claims.

3. After hearing the best attainable evidence, the said Board may determine and order such names to be added to or erased from the said lists, conformably to the legal claims admitted by the said Board. Admission or rejection of claims.

4. The said Board may supply or correct any error or omission in the said lists made by the assessors, without, however, adding or striking off any name when no demand for that purpose has been made and admitted. Correction of errors.

5. The chairman of the Board may examine under oath (which he is hereby empowered and enjoined to administer), all persons examined as witnesses before the said Board, and the clerk of the Board shall make an entry of their names in the minutes of the proceedings of the meeting. Witnesses sworn.

6. The death of any person whose name has been entered in the said lists shall be proved by legal certificate of his death or by the written deposition, sworn to before a Justice of the Peace of the District of Quebec, of two or more credible witnesses. How decease proved.

7. No person shall have his name erased from any list without being heard in person or by attorney, and notice of any demand for the erasure of a name shall be given to the party interested (if he be a resident within the city of Quebec or to be found therein) of the day, the place and the hour when such application shall be made. Person whose name it is desired to have erased from List to be heard.

"35. The city clerk shall be the clerk of the said Board; shall keep the minutes of its proceedings, and shall sign them, and also all the notices required by this Act."

2. Four days at least immediately previous to the said twentieth day of November, the said clerk shall give notice in two newspapers published in the said city, in the French and English languages respectively, of the day, place and hour when the said Board will meet to revise the said lists and determine the said demands, appointing the order in which the said Board shall revise the said lists. Notice to be given.

3. All claims or demands in relation to any names being added to or erased from the said lists, must be filed in the office of the city clerk on or before the fifteenth day of November of each year and not later; and after the said day no claim or demand will be received by the said clerk. When claims filed.

4. The revision of the said lists shall be completed on the tenth day of December following, and the clerk of the said Board shall sign each list so revised and affix thereunto the city seal, the chairman of the Board having previously signed the same. When Lists completed.

Appointment
of a Chair-
man *pro tem.*

36. In case of the absence for any cause whatever of the chairman of the Board, the members of the said Board then present as aforesaid, may choose one of themselves to preside at the meeting in the absence of the chairman, and the member so chosen will be vested with all the rights conferred by this Act on the ordinary chairman of the Board.

Voters' Lists
to remain per-
manently in
the office of
City Clerk.

37. As soon as the voters' lists shall be revised, corrected, signed and sealed in conformity with this Act, they shall be again placed in the City Hall under the care of the city clerk, until the close of the election, after which they shall remain in the archives, in the office of the said city clerk. 10

Nomination
of candidates
for offices of
Mayor and
Councillor.

38. On the first Monday of December in each year, or the first juridical day thereafter, if the first Monday should be a holiday, the nomination of candidates for the office of Mayor shall take place at the City Hall, and the nomination of Councillors at the places named in each ward by the City Council. 15

Notice of
nomination.

2. Three days at least before the nomination, the city clerk shall give notice, to be published in one French and in one English newspaper in the said city, of the time and place or places where such nominations of candidates for the offices of Mayor and Councillors shall take place; and at the time and place named and two electors duly qualified, may nominate a candidate; the qualified electors shall belong to the ward for which they make the nomination of a candidate to the office of Councillor. If there shall be but one candidate for the office of Mayor or of Councillor, he shall be forthwith declared elected. 20

Poll when to
be granted.

3. If there shall be more than one candidate, the presiding Councillor named for this purpose by the City Council before the first day of December, shall grant a poll, and the electors or voters cannot afterwards vote for any other than the candidates thus nominated. 30

Where voting
to take place.

39. When a poll is granted for the election of a Councillor, the voting shall take place in the ward for which the poll has been granted at the place appointed by the Council at one of its sittings prior to the tenth day of December in each year; and the voting shall begin on the fifteenth day of December in each year, or if that be a holiday, then on the first juridical day thereafter, and shall continue on such day and on the next juridical day thereafter only: The poll shall be opened each juridical day at nine o'clock in the morning, and shall be closed at four of the clock in the afternoon each day; and three days at least, previously to the voting, the city clerk shall give notice, to be published in one English and in one French newspaper in the said city, of the time and place or places where the said voting shall take place. 53

President of
Election.

40. The voting in each ward shall be presided over by such Councillor as shall have been named for that purpose by the said Council, at one of its meetings held previously to the tenth day of December in each year. 45

Duty of the
City Clerk
when a Poll
has been
granted.

41. As soon as a poll shall have been granted for any ward, the City Clerk shall prepare a correct copy of the voters' lists for such ward, and affix his signature and the seal of the city thereto. 50

2. He shall afterwards certify on the said copy under oath before a Justice of the Peace for the District of Quebec, that such a copy is a correct copy of the voters' list for such ward for the current year, and shall thereupon forthwith transmit the said copy of the said voters' list for such ward to the councillor appointed to preside at the election in such ward.

Transmission of voters' lists.

42. Every person whose name shall appear in the said copy of the said voters' list for the said ward, thus transmitted to the councillor presiding at the election, shall be entitled to vote at the election of a councillor or councillors for the ward for which such list shall have been made, and without taking any oath other than that indicated in schedule B annexed to and forming part of this Act, which oath the councillor presiding as aforesaid shall have power to administer.

Rights of persons named in voters' lists to vote, on taking what oath.

43. The City Council shall cause books to be prepared, one of which shall be delivered by the city clerk to each councillor so named, to preside at such election as aforesaid, at least twenty-four hours before such voting shall commence, in which shall be written under the supervision of the said councillor during the said voting, the name of each voter who shall vote in the ward where such councillor presides, together with the name of the candidate for whom such voter shall vote.

Poll books to be prepared by the City Council, and how to be distributed.

44. Upon the demand of any candidate, or his duly authorized agent, or any duly qualified elector in such ward, the presiding councillor shall administer to any voter the oath in schedule B of this Act: If the voter refuse to take the said oath, the words "refused to swear" shall be written opposite his name and he shall not be allowed to vote; if the voter take the oath, the word "sworn" shall be written opposite his name, and his vote shall be received and registered; in either case the name of the person who demands the oath to be administered shall be written down in the said book in a column to be provided for that purpose.

When oath to be administered to voters.

45. The Mayor shall appoint a clerk for each ward to enter in the poll book under the supervision of the presiding councillor, the names of all the voters who vote in the ward for which he is appointed, and to make all the entries therein prescribed by this Act; and such clerk before acting shall take before the Mayor or a city councillor the oath in schedule C appended to and forming part of this Act.

Poll clerk appointed in each ward; his duties.

46. When a poll is granted for the election of Mayor, the voting for the candidates for the office of Mayor shall take place in each ward in the said city, at such place in each ward as shall have been fixed by the city council at any meeting thereof held previously to the tenth day of December in each year; The provisions hereinbefore contained respecting the right to vote, as indicated by the copy of the voters' list, the transmission of the said copy to the councillor presiding at the election, the days of voting, the duration of voting, the inscription of the name of the voter in the said book, the swearing of voters, the entering of the name of the candidate for the office of Mayor in whose favor the elector shall vote, the appointment of councillor to preside at the election, the appointment of clerk to make the said entries, the oath to be taken by such clerk, and all the other provisions hereinbefore enacted in respect of elections of councillors shall apply to the election of the Mayor; and the names of the electors voting for Mayor in each ward shall be entered in the same book as that in which shall be entered the

Where and how the election of Mayor takes place.

names of those voting for councillor; and when voters record their votes for Mayor and for councillor in such ward, separate and distinct columns shall be kept in the said book, at the head of which shall be written the names of the candidates for whom the electors vote, and as each elector votes his vote shall be recorded by the poll clerk by making the figure 1 in the column opposite the voter's name, and in the column at the head of which appears the name of the candidate for whom the elector shall have voted.

Entry of voters' names.

Number of votes which electors may give for councillors.

47. Every voter may vote for candidates for the office of councillor in every ward in which his name shall be found legally inscribed on the list of voters, but he shall not vote more than once in each ward.

What voter shall do in case his name appears on several voters' lists.

48. Every voter may vote for the candidates for the office of Mayor in one ward only, and if his name should be found inscribed in several lists of voters, he shall vote in the ward in which he resides, if he should be qualified,—but if he should not be qualified, or if he resides outside of the city limits, he shall declare, in writing over his name, at least one month before the election, such declaration being addressed to the city clerk, in which of the wards in which he is qualified, he desires to vote for such candidate, in default of which he shall be debarred from the right of voting at the election of Mayor.

New appointment in case of illness or absence of Councillor or Poll-clerk.

49. In the event of the decease or absence, from illness or otherwise, of the councillor appointed to preside at any election as aforesaid, or of any poll clerk appointed as aforesaid, it shall be the duty of the Mayor forthwith to appoint another councillor or poll clerk, to replace the one so absent; and such new poll clerk shall, before acting as such, take the oath before the Mayor or a councillor, contained in schedule C of this Act.

Duty of presiding councillor at close of each day's voting, and at close of election.

50. At the close of the voting each day in each ward as aforesaid, the presiding councillor shall add up and ascertain the number of votes recorded in the said poll book, for and in favor of each candidate for the office of Mayor and of councillor respectively, and return the said book to the city clerk immediately after the close of the election, and after having taken and subscribed an oath at the foot of the said book, which oath he shall take before the Recorder, the Mayor or any councillor, and which shall be in the form of the oath contained in schedule D appended to this Act, and of which it forms part.

Duty of Board of Revisors after the close of the voting.

51. On the first juridical day of December, in each year, after the closing of the said voting, at the hour appointed by the notice for its assembling, given by the City Clerk, the Board of Revisors shall meet in the City Hall, and shall have all the said ward or poll books brought before them, and shall thereupon ascertain and report to the said Council at its first meeting thereafter, the total number of votes given to and recorded in the whole of the said books for each candidate for the office of Mayor, and the total number of votes given to and recorded for each candidate for the office of councillor in the ward to which the poll book rotates, and for whom the greatest number of votes has been recorded for the office of Mayor, and for

City Council shall declare the persons elected as Mayor and Council.

the office of councillor in each ward, and the said council shall at such sitting thereof, declare the person having the greatest number of votes for the office of Mayor, to be elected Mayor of the said City of Quebec, and the person having the greatest number of votes for the office of councillor in each ward, to be elected councillor of the said city; and in case of an equality of votes in respect of the said office of Mayor or councillor, the said City Council shall determine and decide which of the said persons having the said equality shall be elected to

In case of any equality of votes.

office; and the said poll-books shall remain in the office and under the care and charge of the City Clerk, where they shall be open to inspection by any elector upon the payment of twenty-five cents. Inspection of Poll-books.

52. The Mayor and councillors so elected at the annual election aforesaid, shall not enter upon the duties of their office, and shall not enjoy any of the rights and privileges, nor be liable to any of the duties and responsibilities of their respective offices, until and after the third Monday in January in each year. When the Mayor and Councillors shall assume office.

53. If any member of the Board of Revisors appointed as such by or in virtue of this Act, shall neglect or refuse to perform any of the duties required of him by this Act, he shall incur a penalty of eight hundred dollars. Penalty on member of Board of Revisors who neglects or refuses to act

54. Every councillor who presides at such nomination or election in any ward of the city, shall have full power and authority to maintain order and preserve the peace, and if any offence should be committed in his sight, or be proved by information upon oath of one credible witness sworn before and by him, he shall have full power to cause to be arrested on his verbal order, and to imprison upon his warrant for twenty-four hours, in the common gaol of the district of Quebec, any person who shall not maintain order, or preserve the peace, or who shall be armed with any club, stick, bludgeon, or other offensive weapon, or shall carry any flag, color, banner, ribbon or cockade or other badge, or distinctive mark whatever, to indicate which candidate he supports, or who shall disturb or threaten to disturb the peace; or who shall wilfully hinder or attempt to hinder any elector from exercising his rights as such, or who shall interrupt in any manner the proceedings of any such nomination or election. Maintenance of order at nominations and elections.

55. All officers of Militia, constable and police officers, or gaolers of the District of Quebec, shall be bound to obey the said verbal order and warrant, under a penalty not exceeding one hundred dollars. Militia and other Officers bound to obey writ, under penalty of \$100.

56. The imprisonment of twenty-four hours aforesaid, shall not exempt the person or persons so imprisoned, from any of the pains and penalties to which he or they would otherwise be liable for the offence committed. Imprisonment of 24 hours not to exempt offender from other punishment.

57. Any person who shall at such nomination or election, carry any flag, banner, color, ribbon, cockade, or other badge indicating the party to which he belongs, or who shall use any violence, menace or malicious practice, or disturb the nomination or election, or shall carry any stick, club, or other offensive weapon, shall be liable to a penalty for every such offence, of one hundred dollars or three months' imprisonment or to both, at the discretion of the Court. Banners, stick, arms, &c., prohibited at elections.

58. No elector shall ask or receive any sum of money, or other recompense, by way of gift or loan, or under any other pretext, or allow or consent to allow his assessments or taxes to be paid for him, or make any contract or agreement for any sum of money, office, gift or employment or other recompense whatever, to induce him to give his vote to or in favor of or withhold it from any candidate; and no person shall, either personally or by his agent, as and by way of gift, recompense, promise, contract, or guarantee of any gift or recompense, or by means of payment of assessment or taxes, bribe or attempt to Penalty for bribing or accepting bribes at elections.

bribe, or induce any elector to give his vote to or in favor of any candidate; and any person offending against any of the provisions of this section, shall be liable, on conviction, to a penalty of two hundred dollars, for such offence, to be recovered with costs, by any one who shall sue for the same before the Recorder's Court of the said city. 6

Extraordinary vacancies of Councillor, how filled. 59. All extraordinary vacancies in the office of councillor shall be filled and supplied on a day to be appointed by the Mayor, in the same manner and way as when the ordinary term of office of councillor shall expire.

Quarterly meetings of the Council. 60. The City Council shall meet on the second Mondays of March, 10 June, September and December, in each year. These quarterly meetings shall not last longer than three days consecutively, exclusive of holidays. If such Monday should be a holiday, the meeting shall take place on the next juridical day following.

Ordinary meetings of the Council. 61. The City Council may meet at other periods to be fixed by a 15 By-law, and may adjourn such meetings by giving notice of such adjournment to the members thereof, who may not be present at the time of the adjournment.

Quorum of the Council. 62. One-third of the whole of the members of the City Council shall constitute a quorum. 20

The majority decide all questions. 63. The majority of the members present shall determine all questions and matters submitted to the Council. The Council shall not vote by ballot.

Quorum for making By-laws. 64. There shall be two-thirds of the whole Council present at all 25 meetings for the passing and third reading of a By-law.

Mayor to preside and shall have a casting vote. 65. The Mayor shall preside at the meetings of the Council, and in case of an equality of votes, shall have a casting vote, and in any other case he shall have no vote.

D 2. The Council may make rules and regulations for its internal 30 government, and for the maintenance of order during its sittings.

Maintenance of order during the sittings of the Council. "3. The Mayor shall maintain order and decorum during the sittings of the Council; he may cause to be arrested by any police officer or constable or other person, any one who may disturb the order of the Council during any sitting thereof, and have him, if he see fit, sent to 35 the nearest police station, to be thence brought before the Recorder's Court, to be dealt with according to law."

Penalty. "4. Any person who in any manner whatsoever disturbs the order or proceedings of the Council, or refuses to obey the legal orders of the Mayor or person presiding at any meeting of the Council as aforesaid, 40 or who violates any enactment of a By-law of the Council made in virtue of the second paragraph of this section, shall incur on conviction for every offence, a fine not exceeding forty dollars, to be sued for and levied according to law."

66. If the Mayor should be absent from any meeting, the Council shall choose a councillor to preside, Who shall preside in the absence of the Mayor.

67. The meetings of the Council shall be public. Meetings of Council are public.

68. The Council shall appoint a City Clerk, a Treasurer, Clerk of Appointment of Officers.
5 Markets, a City Surveyor, one or more road, street, bridge and chimney inspectors, one or more Collectors and Pound Keepers, and other such officers as shall be deemed necessary, and may remove or dismiss any officer, and appoint another in his place, and may exact security from them, and accord salaries to them.

10 "2. If, by the act or neglect of any officer of the Council or of the said Corporation, a suit or plaint brought by the said Corporation is dismissed, the Court, in adjudicating thereon, may by its judgment dismissing the said suit or plaint, condemn the said officer to pay the amount claimed in the said suit with interest and costs; or in case of
15 a plaint, the costs thereof, and the said amount and interest thereon together with the costs thereof, or the costs of the plaint may be levied in the ordinary course of law against the goods, and chattels of said officer, without any other formality or proceeding whatsoever being complied with or taken."

20 69. If any officer is absent or incapable of acting, the Mayor may appoint an assistant during such absence, and such assistant shall, during the period for which he shall be so appointed, exercise all the powers and perform the duties of the principal so absent. Assistant officers.

70. After the third Monday in January, or in the course of the Appointment of Assessors.
25 months of January or February in each year, the Council shall appoint assessors not exceeding eight in number and allow them such remuneration as shall be deemed fitting.

71. The assessors shall each year value all properties in the limits Assessment by the Assessors.
30 of the City of Quebec, and make returns also of the names of all persons liable to pay any tax, duty or impost, specifying the amount payable by every such person.

72. The value of immovable property shall be determined by the Assessment of immovable property.
bona fide rent thereof. If the said rent be unjust, unreasonable and disproportioned to the value of such property, the assessment shall
35 be based on the interest of the actual or real value thereof. If the property shall be occupied or in the possession of the proprietor thereof the assessors shall determine the assessment to be paid thereon, upon and according to the rent which the said property may be worth or ought to obtain. Vacant lots shall be assessed upon the interest of
40 the actual value thereof.

73. The Assessors shall not act as such, until they shall have taken Assessors to take oaths.
before the Mayor, the oath of allegiance, and of qualification mentioned in the schedule E, appended to and forming part of this Act.

74. The Assessors shall have the power to assess during the whole When the assessment shall be made
45 year of their term of office.

Certain powers and duties of assessors.

75. The powers, authority and duties which were vested in the Assessors by the thirty-sixth George the Third, intituled "An Act for making, repairing and altering the Highways and Bridges within this Province and for other purposes," and also by the ninth George the Fourth, chapter sixteen; and the thirty-ninth George the Third, chapter five, are and shall continue to be vested in and imposed on the said new Assessors, in so far as the same shall not be modified by the By-laws of the said Council. 5

Vacancy in the office of assessor how supplied.

76. In the event of any vacancy in the office of Assessor, the Council shall appoint another Assessor. 10

Penalty for refusing to act as assessor.

77. Any person who shall refuse to accept the office of Assessor, shall incur a penalty of two hundred dollars.

Procedure against the entries in the assessment books.

78. So soon as the Assessors shall have deposited, at the period fixed by any By-law of the Council, the assessment book for any ward in the Treasurer's office, the Treasurer shall advertize such deposit for three weeks in a French newspaper, and in an English newspaper, published in the said City; during the three weeks from the date of the first advertisement of such deposit, all persons considering themselves aggrieved by any entry made in such book, shall present a petition or complaint in writing, to the Recorder's Court of the City of Quebec, which said complaint shall be sworn to, before a Justice of the Peace, or a City Councillor, and shall be filed during the said period in the office of the Clerk of the Court, who shall give sufficient notice by publication in the said newspapers of the days and hours when the Court will hear the parties complaining and determine the merits of such complaints; and any person aggrieved by any decision of the Court with respect to such complaint may appeal therefrom by summary petition, to the Court of Revision sitting in the City of Quebec within the eight days following the said judgment, and proceeding shall be had on the said appeal, in the manner prescribed by the laws establishing the said Court of Revision, and the judgment of the said Court of Revision shall be final and conclusive. 15 20 25 30

Appeal from Recorder's Court.

Delays.

2. All the delays mentioned shall be final, so that any complainant who shall neglect to make his complaint or proof within the time specified, and take out such appeal within the prescribed delay, shall be foreclosed from so doing, and be held responsible for and be compelled to pay the amount for which he may be assessed, according to the said assessment books, together with all sums charged against him for taxes, rates, imposts, duties or other municipal charges. 35

Errors.

"3. In any case where, after the making up of an assessment book, it shall become necessary to correct or amend the errors or omissions which may be found therein; or whenever persons not subject to assessment, or to any rate or tax whatsoever, at the time of the making up of the said assessment book, shall, thereafter, and within any period of the fiscal year, become subject to the payment of such assessment, rate or tax; such correction, amendment, error, omission or addition shall be made in such assessment book, on application to that effect addressed by any Assessor to the said Recorder's Court which, on satisfactory proof of the said demand, shall order that the correction, amendment or addition demanded be made in the said book." 40 45 50

“4. The said judgment shall be signified to the person interested by a bailiff of the said Court; and if, within the eight days following the said signification, the person interested shall not have filed in the office of the Clerk of the said Court, the objections which he may have to such correction, amendment or addition, he shall be foreclosed from the right of so doing, and bound to pay each and every sum, assessment, rate or tax imposed upon him, by virtue of such correction, amendment or addition: And if the objections are produced, within the said delay, the said Court shall proceed thereon, as provided in the first paragraph of this section.”

Signification
of judgment.

79. Whenever any contribution, assessment, tax or rate shall have been imposed upon any immovable or movable property, belonging to several co-heirs or possessed *par indivis* by several persons whose names cannot be easily ascertained by the assessors, it shall suffice for the said assessors to inscribe in the assessment books the name of one of the co-heirs or co-possessors; And the co-heir or co-possessor whose name has thus been inscribed in the said books shall be held liable for the full payment of the assessment, tax or rate thus imposed, reserving his remedy as by law against his co-heirs or co-possessors.

Assessment of
property of
co-heirs, &c.

80. No person assessed shall pay less than five shillings as an annual tax, so that if the amount of his assessment shall be less than this sum, the said corporation shall have the right to exact the said sum of five shillings from every person so assessed.

No person to
pay less than
five shillings
as annual tax,

81. The fiscal year shall commence on the first of May and shall end on the thirtieth day of April in each year, both days inclusive, and the assessments, rates, taxes and duties imposed and levied each year shall be held and considered as being for that period.

Fiscal year.

82. If the proprietor of any immovable property in the said city, shall be absent therefrom, and shall not pay his assessments, rates, taxes or duties, either in person or by his agent, the Corporation shall be entitled to six per cent. additional for each year, upon the amount of his assessments, rates, taxes, or duties, and shall have the right to cause the said immovable property, subject to the said assessments, rates, taxes, and duties, to be sold after the lapse of five years of non-payment of such assessments, rates, taxes and duties, on judgment obtained before the Recorder's Court, according to the mode of procedure prescribed by the law which regulates the said court, for the sale of immovables, in cases where the amount of judgment obtained before the said court shall exceed forty dollars.

Property of
absentee
liable to be
sold for non-
payment of
taxes.

83. Any assessment, rate, tax or duty to which any immovable property shall be subject in the said city, and which shall be payable by the proprietor, may be enforced and recovered, either from the proprietor thereof, or from any tenant or occupant of the said real property, or any part thereof, whether such assessment, contribution, tax or rate shall have become due and payable before occupation by the said tenant or occupant, or whether they shall have become due and payable during the continuation of the lease or occupation.

Taxes due by
proprietor
may be recover-
ed from
tenant, who
may deduct
amount from
rent due.

“2. But the tenant or occupant shall only be held liable for the amount of the sum by him due for the rent or occupation of the said premises, reckoning from the day of the signification of the action to this effect; and only during the continuation of his lease or occupation, and at the ordinary dates of payment of the rent, fixed by the lease or agreement between him and the proprietor.”

Liability of
tenant.

"3. Each payment of any sum whatsoever thus made by the tenant or occupant shall discharge him in an equal amount towards the proprietor, unless by the lease or other agreement the tenant or occupant shall have bound himself to pay such contribution, assessment, tax or rate." 5

"4. But no judgment obtained or execution issued against any one proprietor, tenant or occupant, shall exclude or prevent any suit, judgment or execution against the other, for the payment of such rate, tax, assessment or contribution, if such payment cannot be obtained from the party who has been prosecuted, or against whom legal proceedings have been taken in the first instance." 10

5. Every assessment, tax or rate whatsoever payable by a tenant may be exacted and recovered by the said corporation from the proprietor of the real estate so leased or occupied, saving the legal recourse of the proprietor against such tenant or occupant. 15

Certain property of charitable institutions exempt from taxation. 84. The property of any incorporated institution for education, or charitable purposes, occupied and used for educational or charitable purposes, and also all other property by such institution leased for the aforesaid purposes, or occupied as school houses by the School Commissioners of the said city, shall be exempt from taxation, and such houses or properties so occupied are also exempt from tenants' tax. 20

Appointment of Auditors. 85. In the month of February or of March in each year, the Council shall appoint two Auditors, chosen from among the persons having the qualifications prescribed by this Act, to fill such office. 25

Who shall not be appointed. 86. No member or officer, or employe of the City Council shall be appointed Auditor.

Vacancy, how filled. 87. Any vacancy occurring in the office of the Auditor shall be filled up by the council.

Penalty for refusal to serve. 88. Any person who shall refuse to accept the office of Auditor shall be liable to a penalty of two hundred dollars. 30

Oath to be taken by the auditors. 89. Every Auditor, before acting as such, shall take, before the Mayor, the oath of allegiance and of qualification mentioned in schedule F appended to this Act and of which it forms part.

Auditors, &c., to examine Treasurer's account. 90. Immediately after the thirty-first day of March, the thirtieth day of June, the thirtieth day of September and the thirty-first day of December in each year, the auditors and also the councillors appointed for that purpose by the Mayor, shall examine the treasurer's accounts of the city for the preceding quarter, with all vouchers and papers connected therewith, and certify them correct, if they shall be so, and return them to the said city treasurer. 35 40

Report of Auditors upon oath. 91. In their report to the Council in April, in each year, the auditors shall declare upon oath whether the city treasurer has or has not complied with the requirements of the present Act with regard to the sinking fund and the payment of annuities. 45

Certain powers of Treasurer and 92. the city treasurer and city inspector shall have the same powers and duties as the treasurer of roads and inspector of highways, roads

and bridges formerly had, in virtue of the thirty-sixth George the City Survey-
Third, intituled: "*An Act to make, repair and change the highways* or.
and bridges in this Province, and for other purposes."

93. The city treasurer shall keep true and correct accounts of all Treasurer to
5 sums of money by him received or paid, indicating the several purposes keep City
for which said sums of money shall have been received or paid. The accounts.
Mayor and Councillors shall have the right of examining his accounts
at all reasonable times, and such accounts, with all vouchers and papers
relating thereto, shall be made up and closed on the thirty-first day of
10 March, the thirtieth day of June, the thirtieth day of September, and
the thirty-first day of December, in each year, and shall be immediately
after each of the said days submitted to the examination of the said
auditors and Councillors appointed for this purpose by the Mayor as
15 aforesaid. After the said accounts shall have been so examined and Submission of
audited for the quarter ending on the thirty-first day of December, in accounts to
each year, the said treasurer shall make out in writing, and cause to be auditors.
printed, a full abstract of his accounts for the year, in one English and Abstract to
one French newspaper published in the said city, after having delivered be published.
a certified copy to the City Council, and a copy thereof shall be open
20 to the inspection of all the rate-payers of the said city, at the city Rate payers
treasurer's office, at all reasonable hours, free of charge, who shall also entitled to a
be entitled to a copy thereof on payment of a reasonable price therefor. copy, on pay-
ment.

94. The city treasurer shall alone have the right to make payments How and by
in the name of the Corporation, but he shall only do so upon a written whom pay-
25 order of the Council, signed by three or more of its members, and ments shall
and countersigned by the city clerk, or in virtue of a judgment or order be made.
of a court of justice, or in any case in which such payment is formally
enjoined by some express provision of law.

95. No Justice of the Peace shall have the right to order payments Justices can-
30 out of the funds of the Corporation. not order pay-
ment of City
funds.

96. The City Council shall not have the power to dismiss the city How City
clerk or city treasurer, unless a complaint, having been first made in Clerk and
due form by the Mayor, before the Recorder of the said city, against Treasurer
the officer complained of, the Recorder, after a proper investigation. shall be dis-
35 shall have given the Mayor a certificate in writing declaring that the missed.
said complaint is well founded. "And the said Recorder shall possess,
for this purpose, the powers and attributes conferred by chapter
thirteen of the Consolidated Statutes of Canada."

97. All officers appointed by the Council shall be obliged to render Officers to de-
40 to the said Council a true account, in writing, of all matters committed liver accounts
to their charge, and also of all moneys which they shall respectively of matters
receive. If they shall not render such account, or deliver up to the confided to
said Council the papers, books, moneys, documents or other effects them.
50 belonging to the said Council, the said Corporation shall make com-
plaint before the said Recorder's Court, which shall order that a
warrant do issue from the said Court, to arrest and bring this officer
before it, and whether such officer shall or shall not appear, or shall or
shall not be found, the said Court shall hear and determine the said
complaint in a summary manner, and if it shall appear to the said
60 Court that the said officer owes money to the said Corporation, such
Court shall issue a writ to cause such moneys to be levied by distress

**Punishment
of officers for
not rendering
account.**

and sale of the goods and chattels of such offender, and if sufficient goods and chattels shall not be found to satisfy the said moneys and the costs of distress, or if it shall appear to the said Court that such officer has refused, or wilfully neglected to deliver such accounts or vouchers, books, papers, documents or other effects confided to him, or which were 5-
in his custody, or has omitted or refused to deliver them to the said Corporation, the said Court shall imprison the offender in the common gaol of the District of Quebec, where such officer shall remain, without privilege of bail, until he shall have paid such moneys as aforesaid, or shall have delivered a true account, and shall have delivered up such 10-
books, documents, papers, effects and vouchers as aforesaid, or shall have given satisfaction to the said Council in relation thereto; but no such officer shall be detained in prison for want of sufficient means, for a longer period than three calendar months.

**Recourse
against offi-
cers and his
sureties.**

98. Nothing in the present act contained shall prevent or restrict 15-
any judicial remedy against any officer offending as aforesaid in the preceding clause, or against any surety for any such officer.

**Minutes of
proceedings
of Council.**

99. The city clerk shall keep minutes of all the deliberations or proceedings of the City Council. The Mayor, "or in his absence the "pro-Mayor or the Councillor appointed to preside over the Council," 20
shall sign such minutes, and every elector shall have access thereto on payment of one shilling.

**Copies of
minutes to be
held authen-
tic.**

100. All copies of minutes and generally all certificates, documents and papers, signed by the Mayor and countersigned by the city clerk, under the seal of the city, shall be received in all Courts of Justice as 25
proof of the contents of the original thereof; and all copies of documents certified by the city clerk under the seal of the city, shall be authentic, and shall be evidence, and held as such in all Courts of Justice, unless it be specially pleaded that such signatures and seal are 30
forged.

**Council vested
with cer-
tain powers
of Justice of
the Peace.**

101. The City Council shall be invested with all the powers and authorities possessed or vested in the Court of Quarter Sessions, or Justices of the Peace for the District of Quebec, or any of them, before the incorporation of the said City of Quebec, within the limits of the said city, touching or concerning the laying out, making, erecting, keep- 35
ing in repair, and regulating the highways, bridges, streets, squares, lanes, dams, causeways, pavements, drains, ditches, embankments, watercourses, sewers, market-houses and weigh houses, and other public buildings or erections within the said city, and also for, touching and concerning the dividing of the said city into divisions, and the appoint- 40
ment of overseers of highways, streets and bridges, provided that such powers and authorities shall not be inconsistent with the provisions of this Act; and all real and personal property within the said city, and which were at the time of the passing of the said Act of Incorporation, under the control or authority of the said Justice of the Peace, or any 45
of them, have become and shall be subject to the powers, authority, control and direction of the said Council.

**Council may
appoint com-
mittees.**

102. The Council may appoint Committees, composed of a certain number of its members, for the discharge of the duties within its juris-
diction, but such Committees shall be subject in all things, to the 50
approval, authority, and control of the said Council.

103. The Council shall have the right to demand and cause to be delivered, and receive all books, plans, deeds, documents and papers, relating to the City of Quebec, which were in the custody of the Justices of the Peace, before the incorporation of the said city. Council can demand delivery of certain papers.

5 **104.** The Council shall grant licenses to keep taverns, hotels or houses of public entertainment, under the restrictions imposed by the general laws of the Province. Licenses for taverns.

105. The Council may by a resolution cause the Recorder of the City of Quebec to take cognizance of all matters mentioned in such resolution, whether it relates to any alleged malfeasance, violation of deposit, or other improper conduct, of any of its members, officers, employes or contractors, in so far as such acts shall have been committed by the offender in his capacity of member, officer, employe or contractor, or whether it relates to the good government, or the administration of any portion of the public affairs of the said city; and the Recorder shall thereupon make an investigation, and he shall have for this purpose, all the powers "given by the 15th chapter of the Consolidated Statutes of Canada, to Commissioners named by virtue of the said chapter," and he shall report to the said Council the result of such investigation with all possible diligence. Council may cause the Recorder to make an enquiry in certain cases.

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106. The Council may make By-laws for the following purposes, in addition to those specially mentioned in other sections of this Act:— Council may make By-laws.

"1. For the good order, peace, security, comfort, improvement, cleanliness, internal economy and local government of the said city; for the prevention and suppression of all nuisances, and of all acts, matters and things in the said city, opposed, contrary or prejudicial to the order, peace, comfort, morals, health, amelioration, cleanliness, internal economy or local government of the said city." Respecting good order, &c.

25

2. For the imposing and levying, upon the annual value of personal or real property, or both, of what nature or kind soever situate within the limits of the said city, an annual assessment, not exceeding one shilling and ninepence in the pound. For raising assessments of 1s. 9d. in the pound.

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3. For imposing and levying, in addition to the general taxes, a special duty or duties upon all houses of public entertainment, and upon all persons who shall keep a house of public entertainment, as hotels; and upon all retailers of spirituous liquors; or hawkers, peddlars and petty chapmen, within the city; and upon the proprietors, possessors and occupants, agents, directors, or managers of theatres, circuses or public exhibitions, or shows of any kind; upon the owners of horses or vehicles of pleasure, for hire, or for work, of any kind; upon the owner of dogs, pigs, goats; upon the owners or keepers of billiard tables or gambling houses, or places for gambling in the city, where pigeon holes, nine or ten pines (*quilles*), roulette, bagatelle, or any other game or games of chance are played within the said city. Special taxes upon certain persons, trades and properties.

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45 "4. And also on every merchant, firm or company of merchants, residing in the said city, and carrying on therein, as such, any wholesale trade or business whatsoever;" or

"On every merchant, firm or company of merchants, residing in the said city, and carrying on therein, as such, any wholesale and retail trade or business whatsoever;" or

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"On every merchant, firm or company of merchants, residing in the said city, and carrying on therein, as such, any retail trade or business whatsoever;" or

"On every merchant, firm or company of merchants, not residing in the said city, but carrying on therein any wholesale trade and business whatsoever;" or

"On every merchant, firm or company of merchants, not residing in the said city, but carrying on therein any wholesale and retail trade and business whatsoever;" or

"On every merchant, firm or company of merchants, not residing in the said city, but carrying on therein, any retail trade or business whatsoever;" or

"On each and every partner of a company or firm of wholesale merchants as aforesaid, carrying on trade or business in the said city, when such partner shall reside in the said city;" or

"On each and every partner of a firm or company of wholesale and retail merchants, carrying on trade or business, by wholesale and retail, in the said city, when such partner shall reside in the said city;" or

"On each and every partner of a firm or company of merchants, carrying on trade or business, by retail in the said city, when such partner shall reside in the said city;" or

"On every bank of issue and discount, or of discount only, or on the agent, agency, or every branch of such bank, carrying on banking business in the said city, whether the said bank has its chief establishment in the said city or elsewhere;" or

"On every banker, or lender of money on notes or articles of commerce, on obligations or on pledge, in the said city;" or

"On every Savings Bank or *Caisse d'Economie*, or other institution of that nature; or on every Building Society, or other of that nature, or on agents or agencies, or branches of any such Savings' Bank, *Caisse d'Economie* or Building Society, carrying on business, as such in the said city, whether such bank, *Caisse d'Economie* or Building Society has its principal establishment in the said city or elsewhere.

107. In the case of rate or rates imposed on the partner of a firm or company of merchants as aforesaid, such rates may be claimed and recovered in the manner prescribed for the recovery of assessments, taxes or rates imposed by the said Council, either against such partner or against the firm or company of which he is a partner.

Recovery of rates on agents, &c.

"2. In all cases where the said Council is authorized by law to impose a rate or rates on the agency or agent of any person, firm or company whatsoever, incorporated or not, carrying on or exercising any trade or business whatsoever, or any banking business or commercial business, in the said city, such rate or rates may be claimed and recovered in the manner above set forth against the agency or agent of such person, firm or company, in the said city."

Special rates.

"3. The said Council may also, by such by-law, impose a special rate or rates on each and every immovable property, or portion thereof used for the purposes of their trade or business whatsoever, in the said city, by any person, company, firm of merchants, bank, bankers, savings bank, *Caisse d'Economie*, building society, or others as aforesaid, or by their agents, agencies or branches, in the said city: and such rates shall be claimed and recovered in all respects in the manner herein-above prescribed."

Rates payable annually.

"The rate imposed by virtue of the foregoing provisions shall be payable annually, and at the period fixed by such by-law."

108. And also on all brokers and money changers and their premises; on insurance companies, and agencies therefor, or agents of insurance companies, carrying on business in the said city, and premises occupied by them, "whether the said companies have their chief office or establishment in the city or elsewhere;" on all agents or merchants, residing without the limits of this Province, and carrying on business in the said city; on gas companies, and the premises used and occupied by any or all such within the said city; on keepers of eating-houses, coffee-houses, or ordinaries; on all auctioneers, grocers, bakers, butchers, hucksters, pawn-brokers; livery-stable keepers, or carters within the said city; and upon all bakers, butchers, carters and hucksters domiciliated without the limits of the said City of Quebec, following their several trades and occupations, within the limits of the said city; on all trades and manufactories; on all breweries, distilleries; on foundries; on all agents of brewers and distillers, and agencies of breweries and distilleries; on all merchants; on all manufacturers and their agents; on all manufacturers and manufactories of soap or candles, or both; upon manufacturers and manufactories of camphine or other oils; upon the manufacturers and manufactories of ginger beer, or spruce beer, and the agents or agencies of all such; upon the brewers and breweries of root-beer, and the agents or agencies of all such; upon the manufacturers and manufactories of bricks; upon wood-dealers and wood-yards, and lessees of wood-yards; upon all tanneries and slaughter houses, within the said city; upon the proprietors or occupants of wood-yards, tanneries or slaughter-houses; and on all persons acting as ferrymen to the said city, or plying for hire for the conveyance of persons by water to the said city, from any place not more than fifteen miles distant from the same; on merchants and dealers, and the agents of all such resorting to, or residing in the said city, to take or who take to receive orders therein, or to sell or who sell goods and merchandize therein, by or according to sample, contract or agreement; or in any other manner or way whatsoever; on all forwarding merchants or forwarders, and the agents of all such, and all premises occupied by them; on all merchants and agents of merchants residing elsewhere than in the said city, and carrying on business therein; on telegraph companies and agents thereof, in the said city; on inspectors of pot and pearl ashes, or both; on inspectors of beef, pork, flour, butter or other produce, article, effect or thing whatsoever; and generally on all trades, manufacturers and arts, carried on, exercised or in operation in the said city; on all persons by whom the same shall be carried on, exercised or put in operation therein, either on their own account, or as agents for others; and on the premises wherein or whereon the same shall be carried on, exercised or put in operation.

2. Every special tax imposed in virtue of the foregoing provisions may, in the discretion of the said Council, be a fixed annual rate on all or any of the several classes of persons subject to such tax, and on the premises by them occupied for the purpose of their trade, business or manufacture, or a proportional tax to be determined by the said Council according to the assessed annual value of the real estate or any part thereof, occupied as aforesaid, or according to the annual value of lease of such real estate, or any part thereof, occupied as aforesaid, by the persons liable to such tax, or by both modes at once, that is to say, a fixed tax on the person liable to such tax, and a proportional tax on the real estate occupied as aforesaid; or only a fixed tax on such person, according as the said Council may in each case consider it to be most advantageous to the said city.

Special taxes,
how levied.

Meaning of
word "agent"

3. And the words "agent" or "agency," in the foregoing sub-sections, signify any and every agent or any and every agency of one and the same company or partnership having several distinct and separate agents or agencies in the said city, and the special rate imposed on the different trades, businesses or occupations hereinabove specified, shall be payable for such and every establishment of such trade, business or occupation in the said city, when it shall be carried on by the same person, firm of persons or company in a distinct and separate house or place of business.

Capitation
tax.

"4. The capitation tax, payable by all persons of the male sex, 10 above the age of twenty-one years, and under the age of sixty years, and not subject to any other tax or rate whatsoever, shall in future be two dollars per annum. But domestics and servants of the male sex shall only pay one dollar per annum."

Exemptions.

"5. Shall be exempt from the said capitation: All persons above 15 the age of sixty years; the officers and soldiers of Her Majesty or of the Militia in active service, or any person domiciled in the said city during less than six months; apprentices *bonâ fide*; and all persons whom by reason of their poverty the said Council may exempt from the payment of the said capitation tax." 20

Special tax
for watering,
sweeping, or
clearing away
snow from
street.

6. For imposing an additional tax of three pence in the pound on the annual value or rent of real property, upon the proprietors and tenants of those parts of the city, in which at least two thirds of such proprietors and tenants shall ask for the imposition of such tax to defray the expense of watering, sweeping or taking away the snow from 25 such place or street.

Special tax
for damage to
property by
rioters.

7. For imposing a special tax upon proprietors of real property in the said city, in order to pay the damages which any mob, or tumultuous assemblage of persons disturbing the peace of the city, shall have caused to any private property; and if such By-law shall not be 30 passed within six months following the day on which such damages or injury shall have been so occasioned, the person so injured shall have a right of action against the said corporation.

Changing site
of markets,
&c.

8. For changing the sites of markets and market-places, and to establish others, and any person injured by such act of the Council 35 shall have a legal recourse against the Corporation.

Regulating
the markets,
and clerks of
markets.

9 For regulating the powers of the clerks of the markets, and everything relating to the markets. The St. Paul's market, established by the ninth George the Fourth, chapter fifty-three, and the landing place of the St. Paul's market belong to the said corporation who re- 40 present the Trustees and Justices of the Peace.

Vehicles in
which things
are sold.

10. For imposing duties or taxes upon vehicles in which any provisions, meat, merchandize, or any thing shall be sold, exposed or offered for sale in the said city, or on any person selling, exposing or offering for sale such provisions, meat, merchandize or other effects in 45 the said city, in baskets, boxes or any other manner.

11. For establishing Boards of Health.

Firewood,
coal, salt, &c.

12. For regulating the weighing or measuring of firewood, coal, salt, grain and lime.

13. For obliging and compelling proprietors and occupants of real property, to enclose the same, and to keep the same clean and free from filth and dirt, and to make the necessary drains, sewers and privies on such property. Compelling enclosure of lots.
- 5 14. And for fixing the height of the said fence and the materials of which it shall be constructed, to compel the proprietor or his agent, or the tenant or occupant of such property, to draw off all stagnant water thereon, and to level the soil thereof, within a delay to be fixed by such By-law. If within the said delay the said persons or any of them neglect to conform to the provisions of the said By-law, or if such property is vacant and its proprietor is unknown or absent from the District of Quebec, the said Council may order the officer charged to see to the execution of the said By-law to cause the said land to be fenced, cleansed or drained at the costs of the proprietor, and the said costs shall be a privileged claim and may be recovered from the said proprietor, agent, tenant or occupant, by action of debt before the said Recorder's Court, saving the recourse of such agent, tenant or occupant against the proprietor. (14 & 15 V., c. 128, sec. 58.) Height of fence.
- 10 15. For directing and requiring the removal of the snow from the streets, lanes, public squares, and roofs of houses and other buildings, and also of any filth, dirt or other nuisance, offensive to, or prejudicial to public health, or of any door-steps, porches, railings or other projections into, or obstructions in any public street, lane, or public square, by and at the expense of the proprietors or occupants of the real property in or on which such projection or obstruction, filth, dirt or nuisance shall be found, which said expense shall be sued for and recovered by action of debt in the said Recorder's Court. Snow, filth, &c., from streets.
- 20 16. For lighting the said city or any part thereof. Lighting the City.
- 30 17. For altering the level of the footpaths or side-walks; and persons injured by such alteration to have legal remedy against the Corporation. Altering the level of foot paths.
- 35 18. To pull down, demolish and remove, at the expense of the proprietor, or occupant thereof, any buildings, walls, fences, or other buildings and erections encroaching on streets or public places; old, dilapidated or ruined walls, chimneys or buildings, which said expense shall be sued for and recovered in the manner set forth in the foregoing fifteenth paragraph of the present section. Demolish walls and buildings.
- 40 19. To regulate the weight and quality of bread, with the right of declaring forfeited, and forfeiting, all bread of light weight or of bad quality. Weight and quality of bread.
20. For ruling and governing of masters, mistresses, apprentices, servants, employes and journeymen. Masters and servants.

45 "109. All the said Council shall, as regards the conduct and regulation of masters, clerks, apprentices, servants, hired persons and laborers, in the said city, be invested with all the powers contained in the provisions of chapter twenty-seven of the Consolidated Statutes for Lower Canada, and may impose, by any By-law which it may make on this subject, a fine not exceeding ten pounds, for the contravention of any disposition of such By-law." Conduct of masters, &c.

" 2. Every prosecution or complaint, in virtue of such By-law, shall be brought before the Recorder's Court of the said city, and shall be heard and decided in conformity with the law which regulates the said Court."

" 3. If the engagement between a master, clerk, apprentice, servant, 5 hired person or laborer, shall have been made by notarial *acte*, a copy of the said *acte* certified by the notary having the custody of the original of the said *acte*, shall be full and entire proof of the contents of the said *acte* before any court of justice."

" 4. The said Recorder's Court, relative to the annulling of any 10 engagement, as aforesaid, shall possess and exercise the powers conferred by the said chapter twenty-seven of the Consolidated Statutes for Lower Canada, in the cases referred to in the said chapter, and also the powers conferred on Justices of the Peace by sections six and eight of the said chapter. 15

" 5. Any clerk, servant, hired person or laborer who, having been engaged in conformity with the provisions of the said Act or of the By-laws of the said Council, refuses or neglects, without just cause, to perform the said engagement, or who, after having entered into such engagement, and before beginning his term of service in conformity 20 with the said engagement, contracts another engagement with another person, shall, on conviction, be liable to a fine not exceeding ten pounds."

Games and gaming-houses.

110. For suppressing, or regulating and taxing all gaming and gaming-houses. 25

Councillors' attendance.

2. To compel Councillors to attend meetings of the Council and discharge their duties.

Prevent burial and to close cemeteries.

3. To prevent the establishment of new burial grounds within the city limits; preventing burials in the said city, and closing cemeteries therein, on payment of a reasonable indemnity to the parties interested. 30

Tariff of wharf rates.

4. To make a tariff of rates to be paid for the use of wharves, or parts of wharves, belonging to the Corporation.

Erection of wooden buildings prohibited.

111. After the passing of this Act, it shall not be lawful for any person whomsoever to construct or erect any house or building of wood in the said City, or to cover with wood or shingles any house or building. 35

" The Inspector of chimneys of the said City shall see to the execution of the foregoing provision, and shall make a report in writing to the Recorder's Court of the said city, of any contravention of the same."

" 2. The said Court, upon such report, shall order the issue of a writ 40 of summons addressed to the proprietor or possessor of the ground upon which such house or building, in wood, shall have been constructed or erected; or in case such house or building is in process of construction, the said summons may be addressed to the contractor or workman, constructing or erecting such house or building; ordering, by the said 45 summons, the person so summoned to appear before the said Court, at the place, day and hour mentioned in the said writ, in order to answer the complaint laid in the said summons, and to hear the order that the said house or building erected, constructed or in process of erection

or construction shall, within the delay which shall be fixed by the said Court, to be thrown down and demolished."

"The Corporation of the said City shall be the plaintiff in the said summons."

5 "3. If, on the day of the return of the said summons before the said Court, the defendant do not appear, the said Court, after proof of the service of the said summons, and on proof, by two or more credible witnesses, of the allegations contained in the said summons, shall order that, within the delay which it shall fix, the said house or building be
10 thrown down or demolished by the said defendant. And signification of the judgment to this effect shall be made to the defendant in the ordinary manner."

"4. If the defendant appear, the said Court, after having heard the witnesses produced by the parties, shall decide according to law."

15 "5. In all cases where the said Court shall have ordered the defendant, within a certain delay, to throw down and demolish such house or building,—if, at the expiration of the said delay, the order of the said Court has not been executed, the said Court, on the report in writing and under oath, (made before the said Court,) of the said Inspector,
20 shall order that a Writ do issue from the said Court, addressed to the Sheriff of the District of Quebec, instructing him to cause to be demolished, without delay and by all lawful means, the said house or building."

"6. The said Sheriff shall report to the said Court any act or thing,
25 by him done, in execution of the said Writ, and the lawful costs by him incurred for that purpose, which costs, after approval by the Recorder of the said City, shall be paid to him by the Treasurer of the said City without other formality."

"7. Any resistance to the said Sheriff or to the persons by him em-
30 ployed, in the execution of the said writ, shall be a misdemeanor, punishable on conviction before a Court of competent jurisdiction by a fine not exceeding one hundred pounds current money of this Province, and in default of payment of the said fine, by imprisonment and detention at hard labor in the common gaol of the said District of Quebec, for a
35 period not exceeding twelve months."

"8. The costs of summons and proceedings in such cases, as well as
40 those incurred in demolishing or throwing down any such house or building, shall be levied by the seizure and sale of the property and effects movable and immovable, of the defendant on a writ of execution issued by the said Recorder's Court in conformity with the law." Costs.

"9. After the passing of the present Act, any house or building
45 which may be built, re-built, or erected in the said City, shall not be covered with wood or shingles; but any such house or building shall be covered only with sheet-iron, tin, zinc, slate or other incombustible material; under pain of a fine not exceeding fifty pounds current money of this Province, for every infringement of the present provision; and, furthermore, of a fine of five pounds per day for every day during which the said infringement may continue." Shingles on roofs prohibited.

- Recovery of fine.** "10. The said fine shall be recovered by the said Corporation, by an action of debt, on proof of such infringement established by two or more credible witnesses, and recovered from the defendant in the same manner as other debts, due to the said Corporation, may be so recovered on an action brought before the said Recorder's Court." 5
- Inspector of chimneys—his punishment in case of neglect of his duties.** 11. If the Inspector of chimneys neglect to perform the duties imposed upon him by this Act, or if, being required by any person whomsoever to perform the same, he refuses or neglects so to do, the said Inspector, on complaint to that effect brought by any person whomsoever, or by the said Corporation, before the said Recorder's Court, shall, on proof of such offence, established by two or more credible witnesses, be condemned to pay for every such offence, a fine not exceeding fifty pounds said current money, which said fine shall belong to the said City, and shall by an action of debt be sued for and levied in the same manner as hereinabove mentioned. 10 15.
- Erection of buildings so as prevent accidents by fire.** **ART.** The said Council may also prescribe and regulate the manner in which houses or buildings shall be erected, in order to prevent accidents by fire, and may regulate the construction, dimensions and height of chimneys, and specially in the cases of houses or buildings erected above other houses or buildings which they may adjoin, by whom, at whose expenso, in what manner, to what height, and within what time, the chimneys of the less elevated houses and buildings shall be raised so as not to endanger the adjoining or neighboring houses. (14 and 15 V., c. 128, s. 59.) 20
- To prevent accidents by fire.** 1. The Council may make By-laws for preventing accidents by fire. 25
- Persons at fires and fire companies.** 2. For governing and controlling all persons present at fires; and establishing fire companies for the protection of property.
- Officers.** 3. To name and appoint all officers or persons necessary for the execution of the By-laws.
- Purchase of fire engines.** 4. To defray the expenses which may be deemed right to incur for the purchase of engines, or apparatus of any kind, for the purpose of preventing fires. 30
- Officers to enforce observance of By-laws.** 5. To authorize the officers of the said corporation to visit and examine, at suitable times and hours, and to oblige all proprietors, occupants, tenants, or possessors thereof, to allow such persons or officers to inspect the interior and exterior of all houses, buildings and real property, for the purpose of ascertaining whether the By-laws are duly observed. 35
- Demolish houses in case of fire.** 6. To cause to be demolished and removed all buildings and fences which shall be deemed necessary to be demolished, or taken down; in order to arrest the progress of any fire. 40
- Prevent thefts, &c.** 7. To prevent thefts and depredations at fires.
- Punish persons resisting officers, &c. in the execution of their duty at fires.** 8. To punish any person who shall maltreat any member, or officers, or employé of the said Council, in the execution of his duty, or who shall resist, interfere with, or prevent him from executing the same. 45
- Employes killed or injured at fires** 9. To defray the expenses incurred by the said Council in assisting any person in their employ, who shall receive any wound or contract any disease at any fire, or in assisting or providing for the family of

any person in their employ, who shall perish at any fire, or in consequence of any wounds or injuries received thereat, and for rewarding any person who shall have performed any meritorious action at any fire. and persons distinguishing themselves thereat.

10. For establishing a judicial enquiry into the cause and origin of 5 fires, for which purpose the Council shall have the power to compel the attendance of parties and witnesses before them, under pain of fine or imprisonment, or both, to examine them on oath to be taken and sworn before the Mayor, and to commit for trial, on the Mayor's warrant, any party or parties against whom any well-grounded cause of suspicion may be found, of their having wilfully or maliciously originated such fire or fires. To institute judicial enquiry into cause of fires.

11. To compel the citizens to have their chimneys swept by licensed chimney-sweepers, in certain ways and at certain times. To compel the sweeping of chimneys.

12. To impose a tax upon chimneys, to provide funds for the chimney 15 and fire departments. Chimney tax

13. The said Council may also make by-laws and regulations for punishing persons who shall ill-treat, ill-use, over-drive or over-load any animal, and also, ill-treatment of animals.

2. To limit the number of persons in each house, in time of cholera, 20 typhus fever, or other contagious diseases; and also with respect to wearing apparel, and other articles susceptible of communicating any such infectious disease. To limit the number of inhabitants in houses in times of cholera, &c.

3. To make a tariff of fees to be paid to persons employed by the Board of Health established by the corporation. Tariff of fees by Board of Health.

25 4. To regulate disinterments which shall be effected under the direction and control of the person or persons appointed, with the concurrence of the Council, by the Police Committee of the corporation. Regulate mode of disinterments.

5. To regulate the ferries and ferrymen on the River St. Lawrence 30 between the said city of Quebec and any place within the distance of twelve miles from the said city; to fix the tolls to be charged and exacted by the said ferrymen; grant licenses to the said ferrymen and fix the price or sum to be paid for each license and the period at which the same shall be renewed each year—one half of the said sum shall belong to the corporation of the city of Quebec, and the other half to 35 the respective municipalities to which the said ferries extend; to impose a penalty for all infringement of such by-law. Ferries and ferrymen.

“6. But nothing shall prevent the said council, if found more advantageous to the said city, from passing a by-law to authorize the sale and adjudication by public auction of the exclusive right of ferry- 40 ing passengers, merchandize, animals and other property whatsoever, between the said city and the town of Lévis during a period not to exceed nine years; The said by-law fixing and determining the day, the hour and place where the said sale shall take place, the upset price, and the conditions upon which the said sale shall be made. The adjudication 45 shall be made to the highest and last bidder, and the sum for which the last bid shall have been given shall be the amount which the purchaser shall be bound to pay annually, during the term for which the same shall have been adjudged, at the period to be fixed by the said by-law; A deed of the said sale and adjudication shall be passed before notaries

between the said corporation and the purchaser; the latter shall be bound to furnish two or more securities, proprietors of immoveable property, who will bind themselves jointly with him towards the said corporation for the payment of the said sum, and for the execution of all the clauses, conditions and stipulations set forth in the said deed; the said securities shall furnish a certificate from the Registrar of the county or division of county in which the immoveable properties of the said securities shall be situated, stating that the said properties are clear of all debts or mortgages, or at least to the amount of the said sum. The designation and description of the said properties shall be set forth in the said deed, and the said properties shall remain hypothecated in favor of the said corporation."

Tolling of sales.

"7. If within the four days which shall follow the said adjudication the purchaser has not furnished the securities required as aforesaid, or should he neglect or refuse within the same delay to sign the said deed, the said sale shall be null and void, and the Mayor of the said city shall order, without any other formality, another sale and adjudication, without prejudice to the legal recourse of the said corporation against the preceding purchaser."

8. The amount arising from such sale as aforesaid shall be divided between the said corporation and the municipality to which the said ferry shall extend.

Regulations concerning ferries.

9. The said council may by the By-law authorizing the said sale and adjudication, make such rules and regulations for the convenience and safety of the passengers and the mode of crossing, by fixing the time and number of the crossing to be made each day, and may impose a penalty not to exceed ten pounds for any infraction of the provisions of such By-law.

Census made by Assessors.

10. To compel the assessors at the same time as they make the assessments of the properties, to make a census of the population of the said city, and the assessors shall be bound to conform themselves to the said By-laws, to be made for this purpose, under the penalties as regards the execution of their other duties.

Penalty on Assessors.

11. To impose a penalty not exceeding four hundred dollars on the assessors who shall refuse or neglect to discharge their duties.

On Auditors.

12. To impose a penalty not exceeding four hundred dollars upon auditors who shall refuse or neglect to discharge their duties.

Butcher, &c. to take out licenses.

13. To compel all butchers, bakers, hucksters, pedlars, carters, batteaumen, canoemen and porters, residing in and carrying on their trade or business in the said city, to take out licenses and numbers, which said licenses and numbers the said corporation is empowered to issue, and charge reasonable fees therefor.

Butchers and others residing without the city, to take licenses, &c.

14. To compel all butchers, bakers, hucksters, pedlars, carters, batteaumen, canoemen and porters, residing without the city limits, but carrying on their trade or business within the limits of the said city, to take out licenses and numbers, which said licenses and numbers the said corporation is empowered to issue, and charge reasonable fees therefor.

Butchers only to sell in the market.

No butcher shall be permitted to sell, offer or expose for sale any meat whatsoever, except in the stalls of the market of the said city, or

of any other building appropriated for that purpose by the said corporation on pain of a fine not exceeding one hundred dollars for each offence; but the city council may, if they deem it advantageous for the said city, by a By-law to be passed for that purpose, empower any
5 butcher to sell, offer or expose for sale any meat in any place beyond the limits of the said market or market stalls of the said city, upon such butcher obtaining a license for that purpose from the clerk of the said city, for which he shall first pay to the city treasurer such sum not exceeding one hundred and twenty dollars, as may be fixed by such
10 By-law; the said license shall only be valid for one year, to be computed from the date thereof; and any infraction of this provision respecting license shall be punished by fine not exceeding one hundred dollars.

15 15. For placing in pound or public enclosure, to be established by the said corporation, or for selling or disposing of any horse or other animal found in any street, lane, wharf, or other public place in the city, without any person being in charge thereof; or for compelling the owner or person having a right to claim such horse or other animal, to pay such costs and charges respecting the same, as the City Council
20 shall deem reasonable; or for making such other rule and regulation in the premises as the said City Council shall deem expedient. And such costs and charges shall be sued for and recovered by action of debt, before the said Recorder's Court, and shall be levied by the seizure and sale of the said animal.

Horses and other animals in the street, &c.

25 16. To punish by fine the owner, keeper, or driver of any horse found in any street, lane, wharf, or other public place in the city, without any competent person in being charge thereof.

Horses in the street, &c.

30 "And by such by-law, the master, proprietor or possessor of any such horse may be prosecuted personally and condemned for any infringement of the provisions of this by-law, whether the said infringement has resulted from the action of the said master, proprietor or possessor, or from the act of his domestic, servant or other person whosoever in his service, or to whom he may have loaned or leased the said horse."

35 17. For the good government and discipline of carters, and for establishing carters' stands in the said city; and to make, change and alter a tariff of fees to be taken and charged by such carters; and upon all persons hiring out horses or vehicles in the city.

Discipline of carters and carters' stands.

40 "And by any by-law so made, any person exercising the calling of carter may be held responsible for each and every violation of the said by-law committed by such carter or by his hired men or servants whether the said violation arises from the act of the said carter, or from the act of any such hired men or servants, and may be prosecuted and punished in conformity with the provisions of such by-law. But
45 nothing contained in the present clause, or in the one immediately preceding, shall prevent the person by whom such act has been committed from being prosecuted and punished by virtue of the by-laws mentioned in the said clauses."

50 18. To punish, by fine, every person who shall keep or have in his possession a vicious dog, biting or attacking the passers-by or other persons, or who shall keep any other vicious animal, ferocious or dangerous to the safety, or obstructing and disturbing the tranquility of the citizens or of others in the city; and to order that the said dog or

Vicious dogs.

To kill dogs, &c. other animal be shut up or killed, or cause to be killed or destroyed, at the cost and charge of the proprietor or person keeping the same.

To award damages, not exceeding ten pounds current money aforesaid, to any person bitten or wounded by such dog or animal; and the prosecution for the said fine or damages shall be brought before the said Recorder's Court, and heard and judged according to the laws which regulate the said Recorder's Court.

If the person thus bitten or wounded be a minor of less than sixteen years of age, in such case the action and damages shall be brought in the name of the father, or mother, or tutor of such minor. 10

Collars on dogs.

19. To compel the owners and persons in charge of dogs, to put collars on such dogs, with the name or names of the owner or persons in charge thereof, legibly inscribed thereon.

Penalty for infraction of By-laws.

24. The Council may, for the punishment of the infraction of any by-law, impose a fixed or variable fine or penalty, and imprisonment in default of payment, and leave it to the discretion of the Court to determine the amount of such fine or penalty, the time of payment, and the term of imprisonment; the fine or penalty shall not in any case exceed forty dollars, and shall be sued for and recovered in the manner and form prescribed by the law regulating the Recorder's Court of the said city, and the imprisonment shall not be for a longer period than two calendar months, unless a different penalty or imprisonment be fixed by law. 15 20

Licenses to tradesmen and others.

2. And the said Council may also, by any by-law, and whenever the Council shall deem it expedient, compel any person whatever, above referred to, in the first paragraph of section one hundred and eight, or any class of persons, to take out a license for the exercise of their respective trades; or arts, or callings, or occupations, and to pay a fixed sum for such license, and such sum may vary according to the trade, art, calling or business of such person. 25 30

Transient merchants &c., to take out licenses.

25. The said Council, in addition to the tax or rate which it has the power to impose by virtue of the one hundred and eighth section of this Act, may compel the persons mentioned in the said section, or any one of them, as also all transient merchants or traders, their agents, clerks, employes in the said city, to obtain a license from the said council, which said license shall be granted by the officer who shall be named for that purpose by the said council, on payment being made, by such person, or the rate imposed. The said license shall be valid for the period of time fixed by the said council. 35

Power of policemen.

" 2. Any officer or police constable may command any person herein- above mentioned to show him his license, and on his refusal, or if he has no license, then such officer or constable shall bring the said person before the Recorder's Court, if then sitting, to be by the said court disposed of according to law. 40

Bail given.

" 3. If the said court be not sitting, and that the person thus by him arrested cannot give good and sufficient bail before the Clerk of the said court or his deputy, or before the said officer or constable of police, for his appearance before the said court, at its next sitting, or if such person refuses to pay the amount of the tax or rate by him due, 45

such person shall be detained in one of the police stations of the said city until the next sitting of the said court.

5 "4. The bail hereinabove shall be twenty pounds current money Amount of aforesaid, and if the conditions of the admission to bail, or any one of the bail-bond. the same, be not fulfilled, the said sum shall belong to the said corporation, and may be sued for against the surety or sureties by an action before the Recorder's Court; and levied in the manner prescribed by law.

10 "5. If the said person appear, the Court on the admission of such Penalty. person, or on proof of the offence, shall condemn such person to pay a fine not exceeding twenty pounds of said current money; and in default of immediate payment of the said fine and of the costs, the said person shall be imprisoned and detained in the common gaol of the district of Quebec, for a period not exceeding two months, unless the said fine and costs, together with those of imprisonment, be sooner paid."

15 **116.** The said Council is also authorized to make, in conformity Further powers given to the said Council. with the law, one or more by-laws:

20 "1. To fix and determine the fees to be exacted and levied by the respective officers of the said Council, for any service by them done Fees of office. or rendered, at the demand of any person, or for searching for, making copies or extracts from any by-law or document whatsoever, of which 25 they may respectively have charge.

"2. The said fee shall form part of the funds of the said city; but no fees shall be exacted in those cases in which the law obliges the said council or its officers to give, gratuitously, copies, extracts or communication of any by-law or document.

30 "3. To suppress or regulate houses of prostitution, houses of ill-fame, disorderly houses or houses reputed as such, in the said city, and to make, in this respect, any by-law necessary for public tranquility, order, decency, and morals; and to impose for every infringement of For suppressing or regulating houses of ill-fame. the provisions of such by-law, relating to the said houses, a fine not exceeding twenty-five pounds current money aforesaid, which shall be recovered by the corporation of the said city, by a complaint brought before the said Recorder's Court against the person being the mistress 35 of or occupying such house, on proof of the offence. And in default of paying the said fine and the costs of prosecution, the said person shall be imprisoned and detained, at hard labour, in the common gaol of the district of Quebec, for a period not exceeding four months, unless the said fine with costs and those of imprisonment be sooner paid.

40 "4. To prevent the purchase and sale, by any person whomsoever, of any produce or provisions, meat, fowls or other article whatsoever, intended for the public markets of the said city, in or upon any street or public place, or in any yard, house or building, or any other place whatsoever in the said city, in which farmers or other persons coming to the said markets, deposit or store their produce, provisions, meats, fowls or 45 other articles or effects whatsoever, before bringing them to the said markets; or on the wharves or on the steamboats or other craft whatsoever, laying beside the wharves of the said city, and in which the produce, provisions, meat or other articles or effects whatsoever are brought in order to be sold on the markets of the said city.

- To compel persons selling in the streets to take licence. " 5. To oblige all persons selling or offering for sale in the streets, squares or public promenades of the said city, any merchandize, object, article or effect whatsoever, to obtain from the said council a license for that purpose, which license shall be valid during the period fixed, and shall be given by the officer named for that purpose by the said By-law. 5
And, for the price or cost of such license, there may be imposed a rate not exceeding the sum of twelve dollars.
- For the cleanliness, security, good order, &c., of the city. " 6. For the cleanliness, security, tranquility, good order and management of any street, square, promenade or public garden or wharf in the said city, and the accommodation and security of persons passing, or of other persons in or upon such street, square, promenade or public garden or wharf. 10
- For preventing gambling in hotels, &c. " 7. To prohibit every species of gambling in any hotel, tavern, restaurant or other house of public entertainment whatsoever, licensed or unlicensed in the said city, and to punish the owners or proprietors of such hotel, tavern, restaurant or other house of public entertainment, as aforesaid, allowing and permitting gambling of any kind to be carried on therein or suffering any person indulging in such practices to remain therein, by a fine not exceeding one hundred dollars, or by an imprisonment of not more than three months, or both together, at the discretion of the Court before which the said complaint shall be brought. 15 20
- For prohibiting cock-fights, &c. " 8. To prohibit cock-fights, dog-fights or fights of other animals, and all cruel amusements in the said city, and all games whatsoever in the streets or public squares, gardens or public promenades, or wharves in the said city. 25
- To prevent sale on Sundays. " 9. To prevent any person whatsoever (druggists excepted), from selling or retailing, or causing to be sold or retailed, or exposed for sale on Sundays, any effects, merchandize or things whatsoever; and to punish every infraction of such By-law by fine not exceeding one hundred dollars, or by imprisonment for a term not exceeding two months, or both, in the discretion of the Court which shall hear the complaint. 30
- For the closing of taverns, &c., on Sundays. " 10. To cause every house or building whatsoever, licensed or unlicensed, in the said city, in which spirituous liquors, wine, beer or temperance liquors are sold, to be closed from nine o'clock on every Saturday evening, until six o'clock on the morning of the following Monday; And to compel the closing of every such house or building, whether licensed or unlicensed in the said city, in which spirituous liquors, wine, beer or temperance liquors are sold, from ten o'clock at night of each day until five o'clock in the morning, from the twenty-first day of March to the first day of October, and from nine o'clock at night until six o'clock in the morning from the first day of October until the twenty-first day of March in every year, and for punishing any infraction of such By-law by fine not exceeding sixty dollars, or by imprisonment for a term not exceeding two months, or both, at the discretion of the Court hearing the complaint. 35 40 45
- " 11. To compel every person keeping horses or vehicles for hire in the said city, to obtain a license for that purpose from the said council, by paying for such license a sum not exceeding ten pounds currency.

- “12. To authorize all officers or constables of police of the said city, to conduct into any public pound, in the said city, now established or which shall be established by the said council, any horse; cow, pig, sheep, goat or ram which may be found straying in any street, or public square, garden or public promenade or wharf in the said city, or without any proper person taking care of the same; and any such animal shall remain in such pound until it has been claimed by the proprietor, who shall pay such fine as shall be determined by the by-laws made for that purpose, as also the cost of keeping and feeding such animal.”
- 5
- 10 13. If such animal be not claimed within eight days following the day upon which it shall have been taken as aforesaid, it shall be sold by public auction, after notice given to that effect in the French and English languages, and the proceeds of the said sale shall be remitted to the treasurer of the said city, who shall remit the same to the proprietor of the said animal after deducting the fine and the costs of keeping and feeding.
- 15
14. If the proprietor does not present himself within the six months following the said sale, the balance of the proceeds thereof, belonging to the said proprietor, shall be placed by the said treasurer to the credit of the said city, to form part of the funds of the said city.
- 20
- “15. To compel every proprietor, tenant or occupant of any house or building or immovable property in the said city, to clean and empty each and every water-closet or privy in such house or building, or on the ground upon which such house or building is erected, and to close in such privy, and to make and repair such closing and covering each time it shall be deemed necessary by the road inspector of the said city; reserving the remedy of such tenant or occupant who shall have the right of deducting from the price of the rent or occupation, every sum by him justly expended in obeying the order of the said inspector.”
- 25
- 30 16. To prevent horse racing or furious driving in the streets of the said city, and any race or trotting match or otherwise on any highway or public road within a radius of nine miles beyond the limits of the said city.
- 35
17. To compel the owner or occupant of any grocery, cellar, tallow-chandler's shop, soap factory, tannery, stable, barn, privy, sewer, garden, field, yard, passage, or lot of ground, or any other unwholesome or nauseous house or place whatsoever, to cleanse, remove, or abate the same, from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of the said city; to prohibit any person bringing, depositing or leaving within the city limits any dead body, or any dead carcass, and to require the removal of the same, or any article or thing about or liable to become unwholesome, by the owner or occupant of any premises on which the same may be; and on his default, to authorize the removal or destruction thereof by some city officer, and to recover the expense thereof from the party or parties refusing or neglecting to remove or destroy the same, and recover the amount by action of debt before the said Recorder's Court.
- 40
- 45
- 50 18. To prohibit, if deemed necessary by the said Council, the erection, use or employment in the said city of all steam engines, soap and candles, or oil or oil cake factories, slaughter houses, dyeing establishments, cement factories and other factories or establishments wherein

Strayed animals to be rounded to the public pound.

If the animal is not claimed

Proprietor not claiming the balance of sale.

To compel the cleaning of water-closets privies, &c.

To prevent horse-racing in the streets.

To compel the cleaning of certain places.

To prohibit the exercise of certain trades.

work, operations or processes is or are carried on, liable or having a tendency to endanger property, or to affect or endanger the public health or safety; but the said council shall have power also to permit such erection, use or employment, subject to such restrictions, taxes and duties, limitation and conditions, as the said council may deem necessary; 5 and the council may require the obtaining of a license for which they may demand a sum not exceeding ten dollars.

To prevent breaking of the ice bridge in front of the city.

"19. To prohibit any person from preventing, in any manner whatever, the ice from stopping and forming a bridge on the River St. Lawrence, from Montmorency River as far as and comprising the 10 place called *Cap Rouge* on the said river, or from breaking, shattering or damaging in any manner whatsoever, all such ice or ice bridge formed or stopped in the said limits, and to punish by a penalty, not exceeding eight hundred dollars, all infringement of any of the provisions of all by-laws passed to that effect; which said penalty shall belong to the 15 corporation of the said city, and may be sued for in a summary manner before the Recorder's Court of the said city; and in default of payment of the said penalty and the costs, the defendant shall be imprisoned at hard labor for a time not to exceed three months, unless the fine and costs and those of imprisonment be sooner paid; and to that end the 20 said Court has the power to summon the transgressor, although he may reside without the limits of its jurisdiction, to appear before the said Court to answer to the charge brought against him, to defend and be judged in conformity with the law which governs the said Court."

To authorize sale by auction of cattle stands, &c.

"20. To authorize the sale by public auction, if the said council 25 finds it more advantageous, and cause to be adjudged to the last and highest bidder, each year, at the period which shall be fixed by the by-laws made to that effect, for one year, the cattle stand, and weigh-house, or other sources of revenue of all or any of the markets in the said city, and fix the conditions of such sale and adjudication. But the purchaser 30 shall be bound to furnish two securities, proprietors of immovable property situate in the said city; which securities shall present a certificate from the Registrar of the county of Quebec, showing that the said properties are free from all debts or mortgages at least to the amount of the said adjudication; the said securities shall bind themselves 35 jointly with the purchaser for the payment of the price of the said adjudication and the execution of all the conditions of the said adjudication. A deed of the said adjudication shall be passed before a notary and the said securities shall give and cause to be inserted the designation and description of their said properties, and the said deed shall 40 carry a privileged mortgage in favor of the said corporation. If in the four days which shall follow the said adjudication the deed is not executed and completed in the manner above mentioned, the said adjudication shall be null, and the council shall order to proceed, without any other formality, to another sale and adjudication, reserving, how- 45 ever, the legal recourse of the corporation against the purchaser."

To prohibit the sale of fire crackers, &c.

"21. To prohibit the sale of fire crackers, fusees, Roman candles, serpents and all other fire-works of what kind or sort soever; and also, any projectile or missile made of powder."

To authorize police to enter houses, &c., for certain purposes.

"22. The council may authorize any officer or constable of the said 50 police to enter any house, building, yard, premises or other locality whatsoever in the said city, to ascertain if any infringement of the laws or by-laws now in force or which may hereafter be passed by the said council is being therein committed.

2. Whosoever shall refuse admission to any officer or constable as aforesaid, or who shall resist his visiting any house, building, yard, premises or other place as aforesaid, in any case in which such officer or constable is authorized by a by-law to demand and exact such admission, or who shall use insulting language towards him, or shall assault and strike him, shall incur, on conviction for the said offence, a fine not exceeding five pounds current money aforesaid, which said fine shall be sued for and recovered in conformity with the law. Penalty for refusing admittance to policeman.

118. Unless it be otherwise enacted by the present Act, the said council, by any by-law which it may make by virtue of the provisions of the present Act, may impose, for every infringement of such by-law, a fine not exceeding ten pounds said current money, which fine shall be sued for and recovered before the said Recorder's Court, in conformity with the law. Council may impose fines by by-laws.

119. Every by-law shall be read twice by the said council, at regular and separate meetings, before being finally adopted, and submitted to the Governor in Council; and after having undergone the first reading it shall be published at length in an English newspaper, and in a French newspaper published in the said city, and be followed by a notice indicating on which day such by-law shall receive its second reading, and an interval of at least three clear days shall elapse between such notice and such second reading. Mode of making by-laws.

120. All copies written or printed, of any by-law, rule or order of council, certified by the city clerk, produced before the said Recorder's Court, or any court of justice, shall be held authentic until proof to the contrary. Certified copies of by-laws to be held authentic.

121. All rules, regulations, by-laws or orders heretofore legally made by the said city council, or heretofore by the Justices of the Peace, or any other competent authority, and now in force, shall continue to be in force in the said city, until they shall have been abrogated and annulled. By-laws of council in force.

2. The by-laws now in force in the said city, or which may in future be in force within the limits of the said city, shall be considered public Acts, and knowledge shall be had of them by every Court, Judge and person whatsoever, without it being necessary to allege them specially. By-laws are public Acts.

122. A certified copy of every by-law adopted by the City Council, shall be transmitted by the city clerk to the Governor General, who, during the three months following may disapprove of them; and such disapproval shall render such by-law null and void, in the same way that every by-law is null and void which is repugnant to any law of the Province. But if this disapproval of the Governor shall not be signified to the City Council, such by-law shall continue to have full force and effect, unless contrary to any law in force. Governor General to sanction by-laws.

123. The Council of the said city is authorized to establish a corps of police for the said city, composed of competent men, which it may from time to time select for that purpose, in sufficient number to maintain peace and order in the said city. The Council may establish a corps of police.

2. Each man belonging to the said corps should, as much as possible, be able to read and write his mother-tongue, and should be well conducted, sober and honest. Qualification.

Control of the police. "3. The said corps of police shall be under the exclusive control of the Mayor and Council of the said city and shall obey—as will also every man belonging to the said corps—all lawful orders of the said Mayor, of the said council, and of the Recorder's Court of the said city. 5

Payment of the police. 124. The said council shall take from the funds and revenues of the said city all sums necessary to clothe, equip, arm and lodge the said corps of police or any portion of the same.

2. The said council shall name officers of different grades necessary for the administration, government and efficiency of the said corps. 10

Powers and duties of police-constables.

125. Every man forming part of the said corps shall be called a constable of police, and shall have all the powers and privileges attributed by law to constables; and shall be subject to the same responsibility in the exercise of the powers imposed upon him by the present Act: and this provision shall apply to all officers of the said corps.

2. Before entering upon his functions, every officer or man of the said corps shall make oath, before the Recorder's Court of the said city, to fulfil well and faithfully the duties imposed upon him in his said capacity. 20

Police by-laws.

126. The said council shall make all the by-laws necessary for the organization and discipline of the said corps.

Special duties of police constables.

127. The said constables of police shall keep watch, day and night, to maintain good order and the public peace; to enforce the observance of all laws, rules, by-laws and ordinances in force in the said city, and to prevent misdemeanors and felonies in the said city. 25

2. The powers of the said constables shall extend to the whole of the District of Quebec; but they cannot act outside the limits of the said city unless with the written authority of the Mayor or of the person who, under a by-law of the said council, shall have the power to grant such authority, or by the order of the Recorder's Court. 30

3. No constable of police shall leave the said corps before the expiration of the period of his engagement, unless he shall have been dismissed. And in all cases in which a constable shall cease to form part of the said corps, he shall cease to possess the powers conferred upon him by this Act. 35

Vagrants &c., arrested on view.

128. Every constable of police, when in the execution of his duty, shall arrest on view any vagrant, idle, loitering, loose and disorderly person whom he may find disturbing the public peace, or whom he has just reason to suspect of some evil design; or, 40

2. Every person whom he shall find lying or loitering in any field, road, street, yard or other place whatsoever in the said city, and not giving a satisfactory account of his presence in such field, road, street, yard or other place; and he shall conduct such person to the nearest police station, there to be detained until the next sitting of the Recorder's Court (if the said court be not then sitting) to be judged according to law, unless such person shall give, before the officer or 45

constable have command or care of the said station, good and sufficient security for his appearance before the said court at its next sitting;

3. And any person whom he may find committing any offence against the provisions of chapter one hundred and two of the Consolidated Statutes for Lower Canada and the Acts amending the said chapter.

129. Every officer or constable of police shall, both by day and by night, arrest on view any person infringing a By-law, order or ordinance in force in the said city, and conduct him before the Recorder's Court (if the said court be sitting), there to be judged according to law. Arrests on view for violation of by-laws.

2. If the said court be not sitting, he shall conduct such person to the nearest police station, there to be detained until the next sitting of the said court, unless the said person shall give bail to appear before the said court, as stated in the preceding section.

3. If such person reside within the limits of the said city, and that he is known to the constable of police by whom he was seen committing such offence, or to any other officer or constable of police, in such case such person shall be liberated on his promise to appear before the said court at its next sitting, and if he neglect to appear, he shall be proceeded against by a summons according to the law which governs the said court.

130. Each and every police constable shall have the right to enter and visit any house, building or ground, or any place or house of public entertainment, in order to ascertain whether any infringement of any Act in force in the said city or of the present Act is being therein committed. Police constables authorized to enter premises.

2. Whosoever shall oppose such visit, or who shall refuse to allow the said constable to enter any such house, building or other place as above, or who shall resist, abuse, assault or strike him, in the execution of any duty imposed upon him by the present Act, or any other Act, or any By-law of the said Council, shall incur, on conviction, a fine not exceeding ten pounds, or imprisonment for a period not exceeding two months, or both fine and imprisonment together, at the discretion of the court taking cognizance of the complaint. Penalty for resistance.

131. Any police constable who shall be guilty of disobedience, insubordination, drunkenness, negligence, bad conduct, abuse of power, partiality or malversation in the exercise of the duties imposed upon him by the present Act, shall incur, on conviction for such offence, a fine not exceeding ten pounds, or imprisonment for a period not exceeding two months, or suspension or dismissal from his situation, or several of these penalties at the same time, at the discretion of the court taking cognizance of the complaint. Prosecutions to this effect may be instituted by summons before the Recorder's Court in the name of the Mayor, Councillors and Citizens of the City of Quebec, at the demand of the Police Committee of the Council of the said city, or of any officer of police, or of any person, and no officer or constable so dismissed shall be competent at any future time to serve in the said police force. Punishment of policemen neglecting their duties.

132. All recognizances in penal matters, taken and received in virtue of the present Act, shall hold good as if taken before the Recorder's Court, the Recorder, or a Justice of the Peace of the district of Quebec, and shall be subject, as to forfeiture before the said court, to all the proceedings required for the forfeiture of recognizances before courts of criminal jurisdiction. 5

133. The word "street" in this Act, signifies any "lane, passage, public road, wharf, or public promenade, garden or square."

Powers of
Boards of
Health.

134. So soon as the corporation shall have established Boards of Health, such Boards may take cognizance of the causes of disease, and shall have all the powers and privileges conferred upon them by the twelfth Victoria, chapter one hundred and sixteen. 10

Firemen's
privileges:

135. Whoever shall serve in any fire company established by the corporation, or under its control, shall be exempt, so long as he shall belong to such company, from the payment of capitation tax, and from serving on any jury, or as a constable or militia man, except in case of war or invasion. 15

Licenses to
chimney
sweeps.

136. The council may grant licenses to chimney sweeps, and fix the tariff of fees therefor. As soon as the council shall grant licenses for this purpose, no person shall sweep chimneys without a license; and any person who shall in such case sweep chimneys without a license, or exact a higher rate than that fixed by the said tariff, shall be liable to a fine of five dollars. 20

Penalty.

137. The occupant of any house of which the chimney shall take fire shall be liable to a fine not exceeding five dollars, unless it be proved that such occupant complied with the regulations respecting the sweeping of chimneys. 25

Roads, bridges,
sewers,
&c.

138. The said corporation shall regulate all that relates to roads, bridges, canals, sewers, watercourses, drains, beaches, and public places within the limits of the said city. 30

Proprietors
bound to keep
certain drains
&c., in repair.

139. Proprietors or occupants of houses or buildings or other real property, in or under which any drain, canal or watercourse may pass, shall be bound to keep the same in good order, under a penalty of twenty dollars at most, and not less than twenty shillings. If, after eight days' notice given to them by the City Surveyor, in writing, or by such notice being left at their domicile or place of business, and given to any reasonable person of their family, or in their employ, they shall not do that which they are hereby bound to do, such surveyor may cause the same to be done at their cost and charges, and which may be recovered from them by the Corporation, by an action for debt before the Recorder's Court of the said city, together with the costs of such action. 35 40

Width of new
streets and
lanes.

140. No street, public passage or lane which may hereafter be opened, within the limits of the city, shall have less than thirty feet in width. 45

141. The Corporation shall and may retake possession, without payment of any indemnity, the ground of any street, road, market or other public places, upon which any person may have encroached. Encroachments.

142. If a new street or lane should be hereafter opened to replace an old street or lane, the ground, or site of the old street or lane, shall belong to the adjoining proprietors, and if to open such new street or lane it shall be necessary to pay such proprietors any sum of money in respect of such new street or lane, the ground or site of the street or lane, shall be valued, and the amount of this valuation deducted therefrom, in proportion to the part each such proprietor may have, of the ground of such old street or lane. New streets, how made.

143. The City Surveyor and Inspector or Inspectors of roads shall visit the streets, roads, lanes, bridges, market-places, and other places, and generally all the property of the said corporation, and cause all obstructions to be removed therefrom, and also all encroachments by the persons liable or interested therein, by giving such persons notice in writing, either by serving or causing it to be served upon them personally, or by leaving or causing to be left such notice at their domicile or place of business, in charge of a reasonable member of their family, or persons in their employ, requiring them to remove and suppress the said obstructions and encroachments, within a reasonable time to be specified in such notice, and in default of their doing so within the time to be so specified, the said inspectors or any or either of them, shall cause the said obstructions to be so removed and the said encroachments to be suppressed, at the cost and charges of such persons, which cost and charges may be recovered, by a suit for debt brought in the Recorder's Court in the name of the said corporation, of and from such persons, together with the costs of such suit or action, and such persons shall further be liable to a penalty, not exceeding forty dollars for non-compliance with such notice. Visit of bridges, &c., by inspectors.
Suppress encroachments and remove obstructions.
Penalty.

144. Whenever the city surveyor shall deem it necessary that a new foot-way should be laid down or renewed, or repaired in the whole or in part, in front of any house or premises in any street in the city, it shall be incumbent on the proprietor or occupant of such house or premises, within seven days after notice in writing to that effect shall have been served upon him or her, by or at the instance of the said city surveyor, either personally or by leaving the said notice at the residence or place of business of such proprietor or occupant, and giving the same to a reasonable member of the family, or person in the employ of such proprietor or occupant, which said notice shall require the said proprietor or occupant to furnish and deliver on the spot the necessary deals or planks to repair or to make such footway or renew the same in whole or in part, and to comply with the requirements of the said notice, and in default of such proprietor or occupant doing so within the said delay, it shall be competent to the said city surveyor to cause the said deals or planks to be purchased for any of the purposes aforesaid, and delivered on the spot aforesaid, at the costs and charges of such proprietor or occupant, which said costs and charges shall be recovered from such proprietor or occupant by an action for debt instituted in the name of the corporation in the Recorder's Court, together with the costs of such action. In cases where the occupant, by lease or agreement, is not bound to pay such charges, he shall be entitled to recover the amount of the said deals and planks, and cartage thereof, or the amount of the judgment rendered against him, and costs, from the proprietor or other Footways, how to be renewed.

person bound by such lease or agreement to pay the same, by an action brought to that effect before the said court.

Erection of buildings, &c., permission to occupy portion of street.

145. Any person desirous of building, reconstructing, demolishing or repairing any house, building, enclosure or wall on any street, road, lane, or public place, shall give notice to the city surveyor of the time when such work will be commenced and finished, and obtain from him or other person duly authorized, a permit, stating the width upon any such street, road, lane or public place, such person may occupy, for placing building material or rubbish thereon, and such width shall not exceed one third of the said street, road, lane or other public place, and shall be enclosed by the person so building, demolishing or repairing, by a wooden fence of at least ten feet high. Any person violating any of the provisions shall be liable to a penalty not exceeding forty dollars.

Fee for permit.

146. The said corporation may charge a reasonable fee for such permit to the person to whom it shall be given.

Projections in streets.

147. It is strictly prohibited to have any gallery, window, portico, staircases, sign, or any other obstruction, extending or projecting from any house or building into or beyond the line of any street, road, lane, or public place in the said city, and the city surveyor shall, without previous notice, cause any such to be removed at the expense of the proprietor of such house or building; which said costs and charges shall be recovered by an action of debt by the said Corporation before the said Recorder's Court.

Proprietors and occupants to keep streets in front of their houses in good condition.

148. From the first day of November until the first day of May, in each year, the proprietors or occupants of houses, lots, or vacant spaces of ground in the city, shall keep in repair and good condition, the roads whereby their property is bounded on every side, conformable to the regulations which may be in force.

Security given by contractors.

149. In the case of any contract exceeding one hundred dollars made by the said corporation, or the committees of the council of the said city, the said contract shall be executed before notaries, the party contracting with the corporation shall furnish, as securities, two or more proprietors of real estate, who shall bind themselves jointly and severally with the contractor, in favor of the said corporation, for the due execution of the said contract. The said sureties shall produce a certificate from the Registrar of the county or division of county in which their properties are situated, that the said properties are free from all debts and hypothecs, to at least an amount sufficient to secure the execution of the contract. The said sum shall be stated in the contract, and the real property of the sureties described therein, and the said contract shall create a privileged hypothec in favor of the said corporation, and any contract entered into in violation of this provision shall be *ipso facto* null and void.

Plan of the City.

150. The City Council shall cause to be made a general plan of the city, and such plan shall be deposited six consecutive months in the office of the City Clerk, for the inspection of the public. Notice of such deposit shall be given by the City Surveyor once a week during the said six months, in a French and in an English newspaper published in the said city; and the day on which homologation of such plan will

be applied for shall be mentioned in such notice. Whoever shall consider himself aggrieved by the said plan, or shall find such plan erroneous in any particular, shall file an opposition before the said Recorder's Court, before the said day fixed for the homologation thereof, and the said court shall decide summarily, and award costs in favor of or against such opposant according to law and justice. If the plan shall be approved and confirmed, the Clerk of the said court shall mention it on the said plan, and thereupon such plan shall be binding for and against all persons.

10 "151. The said corporation may purchase and acquire any ground or real property for opening new streets, squares, market-places, highways or other public places, or for continuing, enlarging or improving streets, market-places, squares, highways or other public places now made, in the neighborhood thereof; or for erecting any public edifice to be
 15 constructed by the said corporation; and the said corporation may also pay the price of the said ground or real property, but before purchasing any such property, the City Clerk shall, by order of the Council, give public notice of the intention to make such purchase, by advertising the same twice in the newspapers in which the corporation advertisements are published, and if within fifteen days after the day of the
 20 last insertion of the said notice, the majority of the proprietors of the ward or wards interested in the said improvement have not presented a petition to the Council expressing their opposition to the proposed improvement, then and in such case the Council may order the improvement to be made in conformity with this section, after which the Council shall pass a By-law imposing immediately, and for a sufficient number of years, a special annual tax upon the real estate in the said ward or wards, as the case may be, and such tax must be sufficient to pay the interest of the purchase money, the expenses incident to the first
 25 repairs which may be required, and two and a half per centum to form a sinking fund to liquidate the capital. These formalities observed, the Council may purchase the said property, and issue, to pay the price thereof, debentures redeemable within thirty years, and bearing interest not to exceed the legal rate."

35 152. The corporation may purchase more ground than shall be necessary for the improvement for which it shall purchase such ground, but such excess shall not exceed one hundred feet in depth by any length that may be necessary.

40 153. All corporations, husbands, tutors, guardians, curators, *grevés de substitution*, and trustees, may sell or concede to the said corporation such property as they may possess, and which the Council may desire to buy.

45 154. When the proprietor of any real estate which the corporation desires to purchase, cannot agree with the corporation respecting the purchase price, or in case of his being absent or unknown, the purchase price shall be fixed by a jury, summoned by the sheriff of the District of Quebec, upon the demand to this effect made upon him by the Council; which jury he shall summon as soon as such demand shall be made upon him, and that he shall have in his hands proof that one month
 50 previously notice was given to such proprietor, or his or her tutor, curator, administrator, attorney, agent or curator, *ad hoc*, or if such proprietor is absent from Lower Canada, or unknown, in a French

newspaper and in an English newspaper published in the said city, of the intention of the said council to make such demand. The jury shall be composed of twelve disinterested persons, chosen from among persons residing in the said city, qualified to be special jurors in civil cases; and such jurors shall, upon oath, estimate and establish the price or compensation which they consider reasonable, the said corporation should or ought to pay the said proprietor, and any decision as aforesaid in which any nine of the said jurors shall agree, shall, for all the purposes of the present Act, have the same effect as if all the said jurors agreed. 10

After verdict, Sheriff to put Corporation in possession. 155. Immediately after the verdict of the jury, the said sheriff shall put the corporation in possession of the said property, and the said corporation shall take the necessary measures to obtain from the Superior Court, sitting at Quebec, a ratification of title.

Distribution of the sum awarded. 156. Any such proprietor as aforesaid shall not have the right to claim from the corporation payment of the sum awarded by the jury, but such sum shall remain in the hands of the corporation to be paid and distributed conformably to the order of the said Superior Court, and after such payment the said corporation shall become proprietor of the said property. 20

Injury done by Corporation to private or public property. 157. Whenever the corporation shall have caused, or shall be supposed to have caused, any injury to the property of any private individual, or public body, and that such individual, or public body, and the corporation cannot agree upon the amount of the damages, the dispute shall be submitted to a jury in the manner indicated in the preceding clauses. 25

Ecclesiastical and other corporations may buy other properties. 158. All ecclesiastical or civil corporations, whose property shall be thus taken or purchased by the said corporation, may purchase other properties with the sums they receive from the corporation as the price of the property so taken or purchased. 30

City debt. 159. The said corporation shall be and is empowered to incur debts to an amount not exceeding one million one hundred thousand dollars. In this sum shall not be comprised the debts which the corporation may contract for the water-works, gas or gas-works, or for the augmentation of real property for the purchase of which a special tax shall be imposed by a By-law. 35

Where and how debt may be contracted. 160. This debt may be contracted in Canada, in England or elsewhere, and in current money, or sterling or otherwise.

Debentures to be issued. 161. The said corporation may issue debentures, to represent the debt of the said corporation, but only to the amount and for the sum which the law allows it to borrow; the interest of these debentures shall not exceed the legal rate. 40

Debt consolidated. 162. All debentures legally issued by the said corporation shall form part of the consolidated debts of the city.

Debentures the capital of which is due. 163. The corporation may demand the presentation of every debenture the capital of which is due, by giving notice in the *Canada Gazette* and in an English and French newspaper published in Quebec, during six months consecutively, after which time the Corporation shall not be obliged to pay the interest which would otherwise become due on such debenture. 45

164. The said corporation, instead of issuing debentures, may grant Annuities may be issued. bonds for terminable annuities for the whole or part of its debt, to those who lend it money; the term of these bonds shall not be for more than twenty years.
- 5 165. Every debenture issued by the said corporation shall be re- To bear only legal rate of interest. deemable within thirty years, and shall not bear interest higher than the legal rate.
166. If at any time, the City Treasurer shall not have in his hands, Special assessments to pay debentures in certain cases. the funds necessary to pay the interest and the principal of the consolidated debt of the city, or any terminable annuity, he shall establish by means of the assessment books then in force, what new assessment shall be necessary to meet the deficit, and the incidental expenses, and he shall give a certificate of the whole to the City Clerk, who shall place it before the Council at its then next meeting. This certificate shall have the force of a By-law of the corporation, and shall be acted upon and considered as such, by the officers of the corporation, and the amount thus assessed by the said treasurer shall be raised immediately, sued for, and paid to the corporation, in the same manner as all other assessments, but such sum shall first be applied to pay that which shall be due upon the principal and interest of the said debt, and also upon the annuities. And the balance or surplus, if any, left in hands, shall form part of the sinking fund hereinafter mentioned, or if there is no part of the said debt for which a sinking fund is required, then such surplus shall form part of the general funds of the corporation.
- 25 167. If, at any time, the Sheriff of the District of Quebec, shall Special tax when sheriff executes writs for payment of part of debt. receive a writ of execution to enforce the payment of a part of the said consolidated debt, or the interest thereon, or annuities, the Court may order, upon the request of the Plaintiff, that the amount claimed be raised by special assessment, in which case the Sheriff shall ascertain and establish by means of the assessment books in force in the said city, the amount or the rate of assessment necessary to meet the exigencies of the said writ, and ten per cent. over and above the same, and give of the whole a certificate to the City Clerk, who shall place it before the Council at its next immediate sitting. This assessment shall be raised, sued for and paid in the same way as those imposed by the Council, or upon the certificate of the City Treasurer. The amount shall be applied, firstly, to the payment of the said amount claimed and the costs, and any balance remaining in hands shall form part of the sinking fund hereafter mentioned, and if a sinking fund shall not be necessary, it shall form part of the general funds of the corporation. The officers of the corporation shall furnish the said sheriff with all papers, information and assistance he may require, and shall be bound, with regard to this assessment, as with respect to that preceding, to assist in the execution of the law.
- 45 168. The two preceding clauses shall not in any wise affect the Rights of Legislature and of holders of debentures reserved. other rights of possessors or holders of debentures of the said corporation, and shall not prevent the Legislature from making other provisions to ensure the payment of the city debt.
169. Previously to the quarterly meeting of the Council, which will Sinking fund. take place in the month of March in each year, the City Treasurer shall take out of the annual revenue of the city, before any other ap-

proprietion, a sum equal to two per centum on the amount of the consolidated debt at such period. In this amount he shall not include the capital of the bonds for terminable annuities. The said sum of two per centum shall be added each year to the sinking fund of the consolidated debt, with the interest of such fund, which fund shall be applied to the purchase of debentures of the Provincial Government, or in stock of chartered banks in this Province.

Payment of annuities.

170. At the same period the said treasurer shall take, previously to the payment of other appropriations, but after the payment of the two per centum above mentioned, from the annual revenue of the said city, **10** a sufficient sum to pay the terminable annuities which shall become due in the six months following. This sum shall be placed by the said treasurer in such manner that he may be able to avail himself of it when wanted, and to pay the bonds for terminable annuities.

Certificate to be laid before Council at quarterly meetings.

171. At the quarterly meeting of the council in the month of March, **15** the said treasurer shall place before the said council a certificate signed by him and countersigned by the Mayor, establishing that he has faithfully complied with the requirements of the law with respect to the sinking fund, and the payable of annuities.

Punishment of the Treasurer.

172. If the City Treasurer shall fail or omit to do any of the things **20** prescribed to be done by him in the six clauses immediately preceding, he shall be liable to a fine of six hundred dollars currency.

Debts due the Corporation to be privileged.

173. All taxes, assessments, whether general or special rates, water rates or duties, due to the said corporation shall be privileged debts, and shall be paid in preference to all other debts, excepting debts due to Her **25** Majesty, and shall in the distribution of the proceeds of the sale of property, whether real or personal, of any person so indebted to the said corporation, be so held and adjudged by all courts of justice, and by all commissioners and other persons having jurisdiction in bankruptcy in Lower Canada. This privilege shall not require to be registered, and **30** shall extend over the current and two preceding years.

2. The right of action of the said corporation for the recovery of assessments, taxes, or other municipal dues whatsoever, is barred by a prescription of two years, to be computed from the day on which such assessment, tax, water rate or due became payable, and the said prescription **35** is an absolute bar.

Enforcement of penalties.

174. All fines and penalties imposed by this Act, or by the provisions of the by-laws, rules or orders of the City Council, which are now or may hereafter be in force in the said city, or by other provisions of other by-laws and rules which now are or may hereafter be in force in the **40** said city, shall be recovered before the said Recorder's Court with costs, by payment of the said fine or penalty and costs, either immediately or within such delay as shall be granted by the said Court, and in default of immediate payment (or within the said delay), of the said fine or penalty and costs, the party against whom the said judgment shall have **45** been rendered, shall be imprisoned in the common gaol of the district of Quebec, at hard labor, in the discretion of the said court, for a period not exceeding two months, unless such fine and penalty with costs of commitment be sooner paid; anything in the said by-laws, rules, or orders, to the contrary notwithstanding, or unless specially and otherwise pro- **50** vided for by this Act.

2. But in all cases in which a fine has been incurred by a corporation, association or society recognized by law, such fine and costs shall be levied by the seizure and sale of the goods and effects of the said corporation, association or society, in virtue of a writ of execution issued from the said court; and proceedings shall be had upon the said writ in the manner prescribed for seizure and execution in civil matters.

3. Any one or more joint owners or occupiers of any lot, house or premises, or other real property in the said city, complained of for violation of any by-law of the said council, now or hereafter to be in force, bearing upon the said joint owners or occupiers, or upon the said lot, house or premises, or other real property in any manner whatsoever, by reason of nuisances committed thereon, or other offences of what nature soever against the provisions of any by-law of the said Council, may be sued alone or conjointly in the said Recorder's Court, as may be deemed advisable, as the agent or agents of the said joint owners or occupiers, or any one of them; and in the suit to be instituted, it shall be sufficient to mention in the name of one of the owners, occupiers, or agents, with the addition of the words "and others," and the oral testimony of such ownership or occupancy, whether sole or joint, or of such agency shall be deemed sufficient; any law, usage or custom to the contrary notwithstanding. (18 V., c. 162, sec. 13, Montreal.)

"175. All fines and penalties sued for, imposed, levied or recovered in the said Recorder's Court under and by virtue of any statute, now or hereafter to be in force, shall belong to and form part of the general fund of the said city; any law to the contrary notwithstanding."

"2. And the said corporation or any municipal elector may institute any proceedings for that purpose in the name of "The Mayor, Councillors and Citizens of the City of Quebec," as provided in the next section."

"176. All actions instituted by the corporation in virtue of the present Act, or any other Act relating to the said City of Quebec, or of any by-law, rule, order or regulation in force in the said city, shall, when the fine and penalty belongs to the corporation, be brought in the Recorder's Court of the City of Quebec, and not elsewhere, in the name of 'The Mayor, Councillors and Citizens of the City of Quebec.'"

Actions must be brought in the name of "The Mayor, Councillors and Citizens of the City of Quebec."

"177. To the council alone shall appertain the right of remitting the whole or part of any fine belonging to the said city, as well as of the costs of the suit occasioned by the prosecution for the said fine."

"2. This remission shall be made, in each case, by a simple resolution adopted by the majority of the council, on a petition presented to the said council, for that purpose, by the person asking for such remission, and not otherwise."

"3. In like manner the council shall have the sole right of remitting the costs of any portion thereof in civil actions, and in the same manner as for the remission of fines."

"4. The Mayor or any member of the said council who shall infringe the provisions of the present section, or any officer of the said council who shall receive any sum due to the said council without the costs which shall have been incurred at the time of the payment of the said sum, without an order from the said council, given as aforesaid, shall

incur a fine not exceeding five pounds for each offence, which shall be sued for and recovered before the said Recorder's Court as hereinabove set forth."

"5. Any remission of any fine or of any sums or costs, in violation of the provisions of this section, shall be considered as null and of no effect, to all intents and purposes whatsoever."

Where imprisonment is to take place.

178. Whenever in the present or any other Act relative to the said city, or in any by-law, rule or order as aforesaid, imprisonment is imposed, such imprisonment shall be understood to be in the common gaol of the district of Quebec. 10

False swearing.

179. Any person who shall wilfully swear falsely with respect to any oath prescribed by this Act, shall be guilty of perjury and shall be liable to the pains and penalties of wilful and corrupt perjury.

Issuing of debentures.

"180. The said council for and in the name of the said city, is hereby authorized to issue debentures to consolidate the floating debt of said city." 15

"2. The said debentures may be issued for an amount not exceeding seventy thousand pounds currency, and also for another amount not exceeding ten thousand pounds for the improvement of the streets."

"3. The provisions of the law now existing relative to debentures issued in the name of the said city before the passing of the present Act, shall govern the debentures which shall be issued in virtue of the present Act; but nothing herein contained shall be understood to injure in any manner the rights and privileges acquired by holders of debentures issued before the passing of the present Act." 25

This Act does not destroy things done under former Acts

181. Any matter or thing done, debentures, promissory notes and obligations issued, and all by-laws, rules or orders, now in force in the city of Quebec, and made in conformity with the Acts incorporating or relating to the incorporation of the said city, shall continue, and do continue in full force and effect, to all intents and purposes, the same as if the present Act had never been passed, until they shall be legally altered, amended, replaced or repealed, as the case may be, in virtue of the present Act. 30

Powers of the Trinity House not to be affected

182. This Act shall not in any manner affect the powers and authority of the Trinity House of Quebec, but the said council shall exercise exclusive jurisdiction over the whole limits mentioned in the third section of the present Act. 35

Her Majesty's rights saved.

183. This Act shall not affect in any manner the rights of Her Majesty, Her Heirs and Successors.

Interpretation clause.

184. Whenever the following words occur in this Act, they shall be understood as meaning as follows: 40

1. The word "Governor" shall mean the Governor General of the Province of Canada, or the person administering the government thereof.

2. The words "Council," "City Council," shall mean the Council of the Corporation of the City of Quebec, unless the context necessarily or plainly indicates a different meaning. 45

5. The words "Mayor," "Councillor," "Councillors," "City Councillor," "City Councillors," "Treasurer," "City Treasurer," "Clerk," "City Clerk," shall mean that the same are respectively the Mayor, Councillor, Councillors, and the Treasurer and Clerk of the Corporation of the said City of Quebec.

4. The words "Corporation," "said Corporation," shall mean the Corporation of the said City of Quebec.

5. The words "Recorder's Court," shall mean the Recorder's Court of the City of Quebec; and the words "Recorder," "said Recorder," shall mean the Recorder of the City of Quebec.

6. The word "Act" shall also mean and comprehend the word Ordinance.

7. The words "City" or "said City," mean the Corporation of the City of Quebec, in conformity with the provisions of this Act.

8. All words employed in the singular number, or in the masculine gender only, shall mean one or more matters and things of the same kind, and one or more persons, men and women; and bodies corporate, as well as private individuals, unless the contrary shall be specially stated, or that the context plainly or necessarily conveys a different meaning; and the word "shall" shall be considered imperative, and the words "shall not" shall be prohibitory, and the word "may" shall be permissive.

185. The following Acts and Ordinances are hereby repealed, to wit: Repealing clause.
 The fourth Victoria, chapter thirty-one; fourth Victoria, chapter thirty-five; eighth Victoria, chapter sixty; ninth Victoria, chapter twenty-two; fourteenth and fifteenth Victoria, chapter one hundred and thirty; sixteenth Victoria, chapter two hundred and thirty-two; eighteenth Victoria, chapter thirty-one and chapter one hundred and fifty-nine; nineteenth Victoria, chapter sixty-nine; twentieth Victoria, chapter one hundred and twenty-three; twenty-second Victoria, chapter thirty and chapter sixty-three; and twenty-fifth Victoria, chapter forty-five.

186. The repeal of the Acts and Ordinances mentioned and recited in the preceding clause, shall not be understood as affecting any matter or thing done, debentures, promissory notes, or obligations issued, By-laws, rules, regulations made under and by virtue of those Acts and Ordinances, but the said matters and things, debentures, promissory notes, obligations, By-laws, rules, regulations and orders, shall continue to be regulated by the said Acts and Ordinances recited in the preceding clause, until they shall be changed, altered, replaced or repealed, by any proceeding adopted in virtue of the present Act, in which case all such matters and things, debentures, promissory notes, obligations, rules, By laws, regulations and orders, as the case may be, shall be regulated and controlled by the present Act. Repeal of Acts not to affect things done in virtue of them.

187. All Acts and parts of Acts repealed by the Acts and Ordinances hereby repealed, and recited in the one hundred and eighty-fifth section of this Act, shall be and remain repealed; and all Acts and parts of Acts repealed by former Acts to remain repealed

—and Acts inconsistent with this Act repealed. Acts and Ordinances, inconsistent with the provisions of this Act, shall be, and are hereby repealed.

Public Act. 188. This Act shall be deemed a Public Act, and the Interpretation Act shall thereunto apply.

SCHEDULE A.

I.

Oath of allegiance to be taken by the Mayor and City Councillors:—

I, A. B., sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria (or reigning Sovereign) lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province as a dependency of the United Kingdom, and attached thereto, that I will defend Her to the last of my power against all conspiracies and treasons or designs whatever, that may be made against Her person, Her Crown and dignity, and that I shall use my utmost endeavors to disclose and make known to Her Majesty, Her Heirs and Successors, all conspiracies, treason or traitorous designs that I shall know to exist against Her, or any one of them. All this I swear without equivocation, restriction or mental reservation whatever, and renouncing all pardons and dispensations from any person or persons whatever to the contrary. So help me, God.

II.

I, A. B., having been elected Mayor (or City Councillor as the case may be) for the City of Quebec, solemnly and sincerely promise and swear that I will faithfully fulfil the duties of the said office according to the best of my judgment and ability, and that I am seized and possessed for my own use, of real or personal estate, or both, in the said City of Quebec, after the payment or deduction of my just debts, of the value of five hundred pounds currency, and that I have not fraudulently or collusively obtained the same, or a title to the same, to qualify me to be elected Mayor (or Councillor as the case may be.) So help me, God.

SCHEDULE B.

Oath to be taken by voters:—

I swear that my name is (here insert or give the name) and that I am the person named in the copy of the voters' list of electors for (here name the ward) Ward of the City of Quebec, for the municipal elections, which is now shewn me; that I am duly qualified, and that I

have not voted at this election in this ward, (the words "in this ward" must be omitted in the election of a Mayor;) and that I have not received, either directly or indirectly, any money, note, or promise, nor obtained any place or employment, and that my taxes, assessments, or rates have not been paid, in whole or in part, by any person, to induce me to vote for any candidate at this election, and that I am twenty-one years of age. So help me, God.

SCHEDULE C.

Oath to be taken by Poll-Clerk:—

I, A. B., swear that I will faithfully, punctually and impartially, to the best of my ability, fulfil the duties of Poll-Clerk, at the election of a Councillor for (N—), of this city, (or of a Mayor of the said city as the case may be,) which election shall commence and be hold on the (name the day.) So help me, God.

SCHEDULE D

Oath to be taken by the Presiding Officer:—

I, the undersigned A. B., Councillor named by the City Council of the City of Quebec, to preside at the voting in (name the ward) of the City of Quebec, swear that the present Poll-Book has been faithfully and accurately kept as required by law. Signed at Quebec this (here name the date.)

SCHEDULE E.

I.

Oath of allegiance by the Assessors:—

(This oath the same as Schedule A.)

II.

Qualification oath by Assessor:—

I, A. B., having been appointed Assessor for the City of Quebec, sincerely and solemnly swear that I will faithfully discharge the duties of the said office to the best of my skill and ability, and that I am seized and possessed, for my own use, real and personal, or both, in the City of Quebec, after payment or deduction of my just debts, of the value of two hundred and fifty pounds currency; and that I have not obtained the same either fraudulently or collusively in order to qualify myself to be appointed Assessor. So help me, God.

SCHEDULE F.

I.

Oath of allegiance by the Auditor:—

(Same as Schedule A.)

II.

Qualification oath by Auditors:—

I, A. B., having been named Auditor for the City of Quebec, sincerely and solemnly swear that I will faithfully discharge the duties of that office, to the best of my skill and ability. So help me, God.

SCHEDULE G.

I.

Oath of allegiance by Policemen:—

(Same as oath in Schedule A.)

II.

Oath of office by each member of the Police Force:—

I, A. B., of the City of Quebec, having been appointed a member of the Police force of the said City, sincerely and solemnly swear, that I will faithfully discharge my duties as a member of the Police Force, to the best of my skill and ability. So help me, God.