

A.D. 1886.



## CHAP. 32.

### An Act to Incorporate the City of Vancouver.

[6th April, 1886.]

**W**HEREAS it is expedient that the inhabitants of the tract of land commonly known as the Town of Granville and vicinity should be incorporated, Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

**1** From and after the passing of this Act the inhabitants of the tract of land as hereafter described in the second section hereof, and their successors shall be, and are hereby declared to be, a body politic and corporate in fact and in law, by the name of “The City of Vancouver,” and the said Corporation by the same name shall have perpetual succession, and shall have power to sue and to be sued, implead and be impleaded, answer and be answered unto, in all courts and in all actions, causes and suits at law or in equity whatsoever, and shall have a common seal, with power to alter and modify the same at their will and pleasure, and shall be in law capable of receiving by donation, acquiring, holding, and disposing of and conveying any property, real or movable, for the uses of the said Corporation, and in the management of the affairs and for the purposes of said Corporation, of becoming parties to any contracts or agreements, of giving or accepting any notes, bills of exchange, bonds, obligations, or other instruments, or securities for payment of, or securing the payment of any sum of moneys borrowed or loaned, or executing or guaranteeing the execution of any duty, right or thing whatsoever, and for the payment, or securing the payment, of any money borrowed, or of paying loans made, or debts owing to the said City of Vancouver, or of taking up bonds that may become due, or of making a loan or loans, and for any other legitimate and sufficient purpose whatsoever in connection with the affairs of said Corporation; and for any of the purposes aforesaid, the said Corporation may grant and issue bonds for the sum or sums of money therein to be specified under the provisions hereinafter set forth, payable at such time and times after the granting and issuing thereof, and in such place or places in this Province, in the Dominion of Canada, in the United Incorporation of the City of Vancouver.

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States of America, in any part of Great Britain, or elsewhere, and either in currency of the Dominion of Canada, or in sterling money of Great Britain, or the currency of the country where the same may respectively be made payable, as to the said Corporation may be thought advantageous or expedient: Provided always, that the said Corporation shall not make or give any bond, bill, note, debenture, or other undertaking for the payment of a less sum than one hundred dollars (\$100), and any bond, bill, note, debenture or other undertaking issued in contravention of this section shall be void: Provided always, that nothing herein contained shall be construed to authorize the said Corporation to issue notes or bills of exchange payable to bearer, or to issue notes to circulate as those of a bank.

City boundaries.

2. The said City of Vancouver shall be bounded as follows:—Commencing at the northerly limit of lot number 184 in New Westminster District, at the easterly boundary of said lot; thence southerly along said easterly boundary of said lot, and also along the easterly boundary of lot 264A in said New Westminster District to a point where it would be intersected by the southerly boundary of said lot 264A produced easterly; thence westerly along said produced line and along said southerly boundary of said lot 264A to the south-westerly corner of said lot; thence westerly along the middle of the street between blocks numbers 97 and 98 on the one side, and blocks numbers 95 and 96 on the other, as shown in a registered plan of subdivision of lot number 301 in said District of New Westminster; thence still westerly along the middle of the street between blocks numbers 54, 55, and 56 on the one side, and blocks numbers 57, 58, and 59 on the other side, according to a registered plan of a subdivision of the southerly half of lot number 302 in said New Westminster District; thence continuing due west to Campbell Street, the westerly boundary of the Government Town Plot on English Bay; thence northerly along the middle line of Campbell Street to said English Bay; thence along the shore of English Bay across the mouth of False Creek and along the shore line of lot number 185 in said New Westminster District and the Government Military Reserve to the First Narrows; thence along the shore line of Burrard Inlet to the place of beginning.

*Wards.*

Wards.

3. The Council of the city shall by by-law divide the same into wards, and may from time to time alter such subdivisions, so as to allow the different portions to be equally represented in the Council on the basis of a tax-paying population.

*Constitution of Council.*

Constitution of Council.

4. There shall be elected from time to time, in the manner herein-after mentioned a fit and proper person who shall be and be called the Mayor of the City of Vancouver, and at the first election ten

persons, and at each subsequent election two persons for each ward, who shall be and be called Aldermen of the City of Vancouver; and such Mayor and Aldermen for the time being shall form the Council of the said City of Vancouver, and shall be designated as such, and shall represent for all purposes whatsoever the Corporation of the City of Vancouver, and shall hold office until their successors are appointed as hereinafter provided.

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- (1.) Any person being in holy orders, or the minister of any religious denomination whatever, or any Judge of any Court of Record in this Province, sheriffs or officers of the said courts, or officers of Her Majesty's army or navy on full pay, or provincial, county or city licence commissioners or inspectors, or salaried officers of the city, or any person having any unsettled disputed account against or due by the city, or any person accountable for the revenues of the city, or any officer or person presiding at the election of Mayor or Aldermen while so employed, or any person who shall have been convicted of treason or felony in any court of law within Her Majesty's dominions, or elsewhere, or any person having by himself or through his partner, or as a director in any incorporated company, any contract whatever, or interest in any contract with or for the city, either directly or indirectly, shall not be capable of being elected or serving as Mayor or Alderman. Disqualification of Mayor and Aldermen.
- (2.) The persons qualified to be elected Mayor or Aldermen at the first election under this Act are such persons as reside within the said city, and are natural born or naturalized subjects of Her Majesty, males of the full age of twenty-one years, and who are not disqualified under this Act, and have at the time of their election a legal or equitable freehold, or partly legal and partly equitable freehold property, either in their own names or the names of their wives, within the limits of said City of Vancouver, to the value of not less than one thousand dollars over and above the amount of any incumbrances thereon, or being a leaseholder for a term of not less than one year of property of the value of two thousand dollars. Qualification of Mayor and Aldermen at first election.
- (3.) The persons qualified to be elected Mayor and Aldermen at each subsequent election are such persons as are natural born or naturalized subjects of Her Majesty, males of the full age of twenty-one years, and who are not disqualified under this Act, and have at the time of their election a legal or equitable freehold, or partly legal or partly equitable freehold property rated in their own names or the names of their wives respectively, and in the case of Aldermen, in the wards for which they are nominated, on the last revised assessment roll of the city, to at least the value of one thousand dollars over and above the Qualification of Mayor and Aldermen at subsequent elections.

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amount of all incumbrances thereon, or being a leaseholder, rated as aforesaid, for a term of not less than one year, of property of the value of two thousand dollars or more.

*Electors.*

Qualification of voters at first election.

5. Any male or feme sole of the full age of twenty-one years, being a freeholder; householder for at least six months previous to such election; pre-emptor or leaseholder for a term of not less than six months, resident within the said city, shall be entitled to vote at the first municipal election under this Act, but no feme sole shall be qualified to sit or vote as Mayor or Alderman.

Qualification of voters at subsequent elections.

6. From and after the first day of July, A. D. 1886, every male and feme sole, of the full age of twenty-one years, shall be entitled to have his or her name entered on the list of voters in and for the said city, and when so entered, if not otherwise disqualified under this Act, to vote at any municipal election for said city, if such person—

Owner of real estate value \$300.

(1.) Is the owner of real property within the limits of such city of the actual value of three hundred dollars;

Tenant paying monthly rent of \$5.

(2.) Is the tenant of any real property within such city under a lease at a monthly rental of at least five dollars, or a quarterly rental of at least fifteen dollars, or a half-yearly rental of at least thirty dollars, or at an annual rental of at least fifty dollars, and who was such tenant at the time of the final revision of the voters' list used at the election, and on the day of the election; provided that a change of tenancy between the final revision of said voters' list and the day of election shall not deprive the tenant of the right to vote, if such change is without any intermission of time, and the several tenancies are such as would entitle the tenant to vote had such tenant been in possession under either of them as such tenant, between the times aforesaid; and provided further, that when on any revised or final assessment roll the amount of the tenant's rent is not stated, the fact that the real property in respect of which he is entered on such roll as the tenant is assessed at three hundred dollars or more, shall be prima facie evidence of his or her right to be entered as a voter.

Where joint ownership, &c., each person may qualify.

7. When any two or more persons are, either as business partners, joint tenants, tenants in common, or by any other kind of joint interest, the owners or tenants of any lot or portion of a lot, or parcel of real property, within the said city, each of such persons whose share therein is sufficient in value, or in case of tenants in amount of rent, according to the provisions of this Act, to qualify such person as a voter, shall be entitled to be entered on the list of voters, and to vote in respect of such share, as if it were held in such person's individual name, and not jointly with one or more.

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8. No Chinaman or Indian shall be entitled to vote at any municipal election for the election of a Mayor or Alderman.

No Chinese or  
Indian to vote.

*First Election.*

9. A nomination of Mayor and Aldermen under this Act shall be held on the third Monday after this Act shall be assented to by the Lieutenant-Governor, and the election, in case a poll shall be demanded, shall be on the following Monday after such nomination, and shall continue for one day only: and the poll shall be kept open between the hours of nine A.M. and five P.M.; and all the proceedings of the said election, and the trial or trials (if any) of the validity of said elections, shall be as nearly as may be in conformity with the provisions hereinafter contained; and Mr. Jonathan Miller, of Granville, shall be the Returning Officer thereat. The nomination shall be held at such place, and the poll, if any, shall be held at such place in the said city as the said Returning Officer shall appoint.

Nomination for  
first election.

Poll.

Returning officer.

10. Seven days' notice of the time and place of nomination, and of the holding of the poll (if any), shall be given by the said Returning Officer in a newspaper published or circulating in the said city.

Notice thereof to  
be published.

11. Every person qualified to vote at the first municipal election shall be entitled to one vote for Mayor and ten votes for Aldermen, but he may vote for any less number than ten; provided always, that he shall not cast more than one vote for any one candidate, or vote on more than one occasion. And in the event of the number of votes being found to be equal for two or more candidates, one or more of whom, but not all of such candidates, being by the state of the poll entitled to be elected, the Returning Officer shall by a casting vote, or votes, as the case may be, decide which of the candidates for whom the votes may be equal shall be elected, provided that the said Returning Officer shall not vote except in the case of an equality of votes as aforesaid.

Each voter to have  
one vote for Mayor  
and ten votes for  
Aldermen.

12. The said Returning Officer shall provide a ballot-box and the necessary ballots for use at said first election, and he shall, as far as possible, conduct said election in all respects in conformity with the provisions hereinafter contained governing the subsequent elections; and the costs of and incidental to said election, and the preparing and procurement of this charter, shall be paid by the said City of Vancouver, and shall be a first charge on the revenues of the said city.

Duties of Returning  
Officer.

13. The first meeting of the Council so elected shall be held at the Court House, at said city, on the first Monday after such election, and the subsequent meetings thereof at such place, and from time to time as said Council on resolution when adjourning to be entered on its minutes, or by by-law appoint. At such first meeting, or as soon thereafter as possible, the Council may appoint a Clerk, Treasurer, and

First meeting of  
the Council.

Appointment of  
officers.

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Assessor, and such other officers as may be deemed necessary, who shall hold office during the pleasure of the Council and receive such remuneration as the Council may by by-law appoint.

*Elections subsequent to First Election.*

Nomination for office of Mayor and Aldermen at subsequent elections.

14. A meeting of the electors of the city shall take place for the nomination of candidates for the office of Mayor of the city on the first Monday of the month of December, annually, at eleven o'clock in the forenoon, in the City Hall, or such other place as the Council shall by by-law appoint, and for the nomination of candidates for the office of Aldermen for each ward, on the same day and at the same place, at the hour of twelve, noon. The Clerk of the city shall be the Returning Officer of the city, to preside at such meeting, and in case of his absence or inability to attend, the Council shall appoint a person as Returning Officer in his place; and if the Clerk or person so appointed does not attend at the hour for holding such meeting, the electors present shall appoint a Returning Officer from among themselves.

The Clerk to preside.

Close of nomination.

(1.) No nomination for Mayor shall be received after the hour of twelve o'clock, noon, of the said day; and no nomination for Alderman shall be received after one o'clock on the afternoon of the said day:

Notice of nomination meeting.

(2.) The City Clerk shall give notice of such meeting of the electors for the nomination of candidates for Mayor or Aldermen by advertisement, for at least two weeks, in a newspaper published or circulating in the city, and at least six posters posted in each ward in said city.

Nomination and proceedings incident thereto.

15. The nomination of each candidate shall be in writing, and be signed by the proposer and seconder, who shall be, in case of Alderman, duly qualified electors of and residents in the ward of the city for which the candidate is nominated, and in case of Mayor, duly qualified electors of and resident in any ward of the city; and such nomination shall contain a statement, signed by the person nominated, that he consents to such nomination. If no more than the required number for any particular office be nominated, the Returning shall, after the lapse of one hour from the time fixed for holding the meeting, declare such candidate or candidates duly elected for such office or offices. Should more than the requisite number be nominated for any particular office, the Returning Officer shall adjourn the proceedings for filling such offices until the second Monday in December, when the poll or polls shall be opened in each ward, or polling subdivisions, at such place or places respectively as may be fixed by the by-law of the Council for the election, at nine o'clock in the forenoon, and shall continue open until five in the afternoon of the same day, and no longer.

By law for an election.

16. The Council shall from time to time by by-law appoint the place or places for taking the vote of the electors in each ward of the city,

and appoint the Deputy Returning Officers to take the said votes in such wards, and in the event of no such Deputy Returning Officers being appointed, the Clerk of the city shall appoint Deputy Returning Officers for holding the election in conformity with this Act.

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- (1.) In case at the time appointed for holding an election the person appointed to be Deputy Returning Officer has died, or does not attend to hold the election within one hour after the time appointed, or in case no Deputy Returning Officer has been appointed, the electors present at the place for holding the election may choose for themselves a Deputy Returning Officer, who shall forthwith proceed to hold the election and perform all the other duties of a Deputy Returning Officer, and in all cases the City Clerk, or such person as the Council may appoint, shall administer the necessary oath of office to the Deputy Returning Officers: The absence of the Deputy Returning Officer provided for.
  - (2.) The Returning Officer and Deputy Returning Officers however appointed as aforesaid, shall, during the election, act as conservators of the peace for the city, and they or any Justice of the Peace having jurisdiction in the city may cause to be arrested, and may summarily try and punish, by fine or imprisonment, or bind over to keep the peace, or for trial, any riotous or disorderly person who assaults, beats, molests, or threatens any voter coming to, remaining at, or going from, the election, and when thereto required, all constables and persons at the election shall assist the Returning Officer, Deputy Returning Officer, or Justice of the Peace, under a penalty of fifty dollars in case of refusal, or in default of payment to be imprisoned for a period not exceeding thirty days: Returning Officer and Deputy Returning Officers to be conservators of the peace.  
Their powers.
  - (3.) Every Returning Officer, Deputy Returning Officer, or Justice of the Peace, may appoint and swear in any number of special constables to assist in the preservation of the peace and of order at the election; and any person liable to serve as constable, and required to be sworn in as special constable by the Returning Officer, Deputy Returning Officer, or Justice of the Peace shall, if he refuses to be sworn or to serve, be liable to a penalty of twenty dollars, to be recovered to the use of any one who will sue therefor. Special Constables may be sworn in.
17. The proceedings at elections shall be as follows:—
- (1.) The Clerk of the city or other Returning Officer shall, before the poll is opened, deliver to the Deputy Returning Officer for each ward or polling subdivision, a ballot box, and a copy answering to the form in the Schedule of this Act, certified to be a correct copy of the voters' list of the ward, and also a list of the candidates for the office of Mayor, and of the candidates for the office of Alderman for such ward, together with a sufficient Proceedings at elections.  
City Clerk to provide ballot boxes and voters' lists for Returning Officers.

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number of ballots for Aldermen and for Mayor, or either as required:

Voters' list to be verified on oath.

(2.) The Clerk or other Returning Officer shall deliver with such voters' list his solemn declaration, under oath, that the said voters' list is a true copy and correct list, containing the names of all persons entitled to vote at said election in respect to being duly qualified by appearing on the last revised voters' list of the said city or ward:

Deputy Returning Officers.

(3.) Every Deputy Returning Officer shall nominate and appoint, in writing, a clerk to act for him in the election, to whom he shall administer the oath of office:

Poll to be held between 9 a.m. and 5 p.m.

(4.) Every Deputy Returning Officer, except in cases provided for in sub-section 1 of section 16, shall commence every election at nine o'clock in the forenoon, and close the same at the hour of five o'clock of the afternoon of the same day:

Oaths.

(5.) Every Returning or Deputy Returning Officer shall administer all oaths and affirmations necessary at an election:

Election not commenced, or interrupted by riot, &c., to be resumed.

(6.) In case, by reason of riot or other emergency, an election is not commenced on the proper day, or is interrupted after being commenced, and before the lawful closing thereof, the Returning Officer shall hold or resume the election on the following day at the hour of nine o'clock in the forenoon, and continue the same from day to day, if necessary, until the poll has been opened without interruption and with free access to voters for eight hours in all, in order that all the electors so inclined may have had a fair opportunity to vote:

Oath, &c., of challenged voter.

(7.) At an election of Mayor or Aldermen a voter before marking his ballot paper, if so required by any candidate, or his agent, or any elector, shall state his or her occupation and residence to the Deputy Returning Officer, or, if so required, shall take the following oath (or affirmation):—

"I, A. B., do swear (or affirm) that I am twenty-one years of age [and at elections after the first, that I am the person whose name is on the list of electors now shown to me]; that I have not voted before at this election in this ward or for a candidate for Mayor (if the voter proposes to vote for a candidate for the Mayorality); that I have not received anything, nor have I accepted any promise made to me, directly or indirectly, either to induce me to vote at this election or to indemnify me for loss of time, travelling expenses, hire of vehicle, or any other service connected with this election; that I have not been guilty of any act of bribery or undue influence as defined by this Act or any act of corruption, disqualifying me from voting at this election, and that I am properly qualified to vote at this election. So help me God:"



(8.) The Council of the city shall provide a ballot-box for each polling subdivision, which shall be provided with a lock and key and have an opening through the lid of sufficient size to admit a single-folded ballot and no more, and the said boxes shall be kept by the City Clerk for the uses of the said city only, and shall be given out by him to the several Deputy Returning Officers for use in electoral purposes, and it shall be the duty of the Deputy Returning Officer for each polling subdivision forthwith after any election to return the same to the City Clerk, or other Returning Officer:

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Construction of ballot boxes to be used at elections.

(9.) The Deputy Returning Officer for each polling subdivision shall upon the opening of the poll, open the ballot-box in presence of the candidates (if present) and their agents, or other persons present, and shall turn it upside down so as to show it is empty, and then lock the box, and the key thereof shall be kept by him, and the said box shall not be re-opened until the close of the poll, for the purpose of counting the ballots therein;

Deputy Returning Officer to show box empty and lock it.

(10.) Every elector shall vote by ballot:

Votes to be by ballot.

(11.) It shall be the duty of the City Clerk, or other Returning Officer, forthwith after the nominations are held for the office of Aldermen in the various wards in the city, to cause to be printed ballots for each separate ward in which there shall be an election for Aldermen, which ballots shall have printed upon them in large letters at the top the number of the ward, and thereafter the names of the candidates for the office of Alderman for that ward, which names shall be in alphabetical order, and deliver sufficient of the same to each Deputy Returning Officer for each polling subdivision:

Form of ballot paper for Aldermen.

(12.) In case an election for Mayor is required, the Clerk, or other Returning Officer, shall cause ballots to be printed, which shall have printed upon them at the top "City of Vancouver," and thereafter printed in large letters the names of the candidates for the office of Mayor, which names shall be in alphabetical order, and deliver sufficient of the same to the Deputy Returning Officers for each polling subdivision:

Form of ballot paper for Mayor.

(13.) The ballot papers for Mayor shall be printed on pink or red paper, and those for Aldermen on white paper, and there shall be a margin on the right-hand side of each ballot, after the name, sufficient for the mark of the voter, and the names shall be printed closely to the left-hand margin:

Colour of paper.

(14.) The Deputy Returning Officer shall provide a private room or stall, with desk and pencil, where a voter shall retire to mark his ballot:

Voting stalls.

(15.) The Deputy Returning Officer shall put his initials on each ballot when one is asked for by a voter, and shall mark on the

Deputy Returning Officer to put his initials on ballot paper.

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voters' list a mark to indicate that a ballot has been given out. No voter shall be given more than one ballot paper for Mayor and one for Aldermen:

Voting, marking  
ballot paper.

(16.) The voter shall at once, upon receiving his ballot paper or papers, retire to the room or stall provided for the purpose and mark his ballot or ballots by putting a cross on the right-hand side of the name of the candidates for whom he wishes to vote, and shall at once fold the same so as to conceal the name or names of the candidate or candidates for whom he has marked his ballot, and return the same to the Deputy Returning Officer in the presence of the scrutineer or scrutineers, agent or agents of the candidates, who shall, without opening the said paper or papers, or permit the same to be opened or examined, deposit the same in the ballot-box, and the Deputy Returning Officer's clerk shall thereupon write down the name of the person whose ballot paper has been deposited in the said ballot-box in a separate list provided for that purpose, and the said Clerk shall sign and subscribe his name to each list and return the same to the Deputy Returning Officer at the close of the poll:

Delivery of ballot  
paper to voter.

(17.) The Deputy Returning Officer when any ballot paper or papers are required shall pronounce in an audible voice the name of the person requiring a ballot or ballots, and if the name of such person is found on the voters' list of the said ward used at such election, the said Returning Officer, if the said voter is not required to take the oath or to state his residence or occupation, or his required to take the oath or make such statement, duly takes or states the same as required, shall deliver a ballot or ballots for the office of Mayor or Alderman, or either, as the case may be:

Proceedings in case  
ballot paper cannot  
be used.

(18.) A voter who has inadvertently dealt with the ballot paper or papers given him, in such manner that either or both cannot be conveniently used, may, on delivering the same to the Deputy Returning Officer, obtain another or others in the place of that or those so delivered up:

Counting the votes.

(19.) Immediately after the close of the poll the Deputy Returning Officer shall, in the presence of the Clerk and the candidates or their agents, and if the candidates and their agents are absent, then in the presence of at least three electors, open the ballot-box and proceed to count the number of votes given for each candidate. In so doing he shall reject all ballot papers which are not similar to those supplied by the Deputy Returning Officer; all those by which the votes have been given for more candidates than are to be elected; and finally, all those upon which there is any writing or mark by which the voter could be identified:

Rejected ballots.

(20.) The other ballot papers being counted and a list kept of the number of votes given for each candidate, and of the number of rejected ballot papers, all the accepted ballot papers shall be put into a separate envelope or parcel, and those rejected shall also be put into a different envelope or parcel, and all these parcels being endorsed so as to indicate their contents, shall be put back into the ballot-box:

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Disposal of ballot papers after count.

(21.) The Deputy Returning Officer shall take a note of any objections made by any candidate, his agent, or any elector present, to any ballot paper found in the ballot-box, and shall decide any question arising out of the objection, and the decision of such Deputy Returning Officer shall be final, subject only to reversal on petition questioning the election or return. Each objection to a ballot paper shall be numbered, and a corresponding number placed on the back of the ballot paper and initialed by the Deputy Returning Officer:

Deputy Returning Officer to note objections taken to ballot papers at the counting of same,

and number both.

(22.) The Deputy Returning Officer shall make out a statement of the accepted ballot papers; of the number of votes given to each candidate; of the rejected ballot papers; of the spoiled and returned ballot papers, and of those unused and returned by him; and he shall make and keep by him a copy of such statements, and enclose in the ballot-box the original statement, together with the voters' list and a certified statement, at the foot of each list, of the total number of electors who voted on each such list, and such other lists and documents as may have been used at such election. The ballot-box shall be locked and sealed, and shall be delivered to the City Clerk:

Statement

(23.) Upon receiving the ballot boxes from the several Deputy Returning Officers, the City Clerk, or other Returning Officer, shall add together the number of votes cast for the various candidates for Mayor, and shall forthwith declare the candidate having the highest number of votes to be Mayor of said city, and shall also forthwith declare the candidates from each ward, who shall appear by such returns to have received the highest number of votes, elected for such wards respectively; and in case two or more candidates for the office of Mayor have received an equal number of votes, then the City Clerk, or other Returning Officer, shall vote for one thereof, and forthwith declare such one elected:

Clerk to add up votes and declare who is elected.

If a tie vote for Mayor, Clerk to have casting vote.

(24.) In case two or more candidates for Alderman have an equal number of votes, the City Clerk, or other Returning Officer whether otherwise qualified or not, shall give a vote for one or more of such candidates so as to decide the election:

If a tie vote for Alderman, Clerk to have casting vote.

(25.) In case no returns be made for one or more wards, in consequence of non-election owing to interruption by riot or other

Proceedings in case of a ward not electing.

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cause, the members of the Council duly elected being at least a majority of the whole number of the Council when full, shall elect one of the Aldermen to be presiding officer, who shall act as Mayor, and who shall take the necessary declarations and possess all the powers of Mayor until a poll for each ward or wards has been held:

When ballot papers may be inspected.

(26.) No person shall be allowed to inspect any rejected ballot papers in the custody of the City Clerk, or other Returning Officer, except under the order of a Judge of the Supreme Court of British Columbia, or a Judge of the County Court, having jurisdiction in the City of Vancouver; such order to be granted by such Court or Judge on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of such ballot papers may be made, subject to such conditions as to persons, time, place, and mode of inspection and production, as the Court or Judge making the same may think expedient, and shall be obeyed by the Clerk of the City, or other Returning Officer:

Recount may be ordered by a Judge of Supreme or County Court.

(27.) Upon an affidavit presented by an elector, any Judge of the Supreme Court of British Columbia, or a Judge of the County Court, having jurisdiction in said City of Vancouver, shall have power to and shall direct a recount of the ballots for Mayor or Aldermen, and shall direct the City Clerk to produce all the ballot-papers before him, and he shall recount the same and decide as to the proper number of ballots cast for each candidate, and declare the result of such count; and his declaration as to such recount shall be final, subject to the election being contested as hereafter provided. Such recount must be made within ten days after the declaration of the City Clerk or other Returning Officer. A fee of twenty dollars shall be paid by the applicant to the said Judge, upon presenting the affidavit asking for the recount:

Proceedings in case of incapacity to mark paper.

(28.) The Deputy Returning Officer, on application of any voter who is unable to read, or incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall assist such voter, by marking his ballot-paper in the manner directed by such voter, in the presence of the agents of the candidates, and of no other person, and by placing such ballot-paper in the ballot-box; and the Deputy Returning Officer shall cause a list to be kept of the names of the voters whose ballot-papers have been so marked in pursuance of this section, with the reason why each ballot-paper was so marked.

And whenever the Deputy Returning Officer shall not understand the language spoken by an elector claiming to vote, he shall swear an interpreter, who shall be the means of communication between him and such elector with reference to all matters required to enable such elector to vote :

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- (29.) Every Deputy Returning Officer or Clerk who is guilty of any wilful malfeasance, or any wilful act or omission in contravention of the election clause of this Act, shall forfeit to any person aggrieved by such malfeasance, act or omission, a penal sum not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person : Money penalty for offences.
- (30.) In addition to the Deputy Returning Officer and the Poll Clerk, the candidates or their agents (not exceeding two in number for each candidate for Mayor, and one for each candidate for Alderman), and in the absence of agents, two electors to represent each candidate for Mayor, and one elector to represent each candidate for Alderman, by the request of such electors or elector, and no others shall be permitted to remain in the room where the votes are given during the whole of the time the poll remains open : Who may be present at polling place.
- (31.) Any person producing to the Returning Officer or Deputy Returning Officer at any time a written authority from a candidate to represent him at the election, or any proceedings of the election, shall be deemed an agent of such candidate within the meaning of this Act : Agents of candidate.
- (32.) The agents of each candidate, and in the absence of any agent of any candidate, the electors or elector, representing such candidate, if there be such elector or electors, on being admitted to the polling station, shall take the following oath (or affirmation): "I do solemnly swear (or affirm) that I will keep secret the name or names, of the candidate, or candidates, for which any of the voters now and may have marked his ballot-paper in my presence at this election. So help me God." Oath of secrecy.

18. The Mayor elect shall make and subscribe the necessary declarations of office and qualification on or before the day appointed for the first meeting of the Council before the Police Magistrate, City Clerk, or a Justice of the Peace having jurisdiction in said city, and shall afterwards administer the necessary declarations to the other members of the Council; but in case of the Mayor's absence the declarations of office of the Aldermen may be taken before the Clerk of the City or Police Magistrate, or before any such Justice of the Peace and the Mayor may afterwards make his declaration of office and qualification. Declarations of office of Mayor and Aldermen.

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No business to be transacted until declarations filed.

Form of declaration of Mayor.

Form of declaration of Aldermen.

Declaration to be filed with City Clerk.

Seats to become vacant by crime, insolvency, absence, &c.

New elections provided for, and mode of conducting same.

(1.) No other business shall be proceeded with at the said meeting until the said declarations shall have been made and filed by the members present :

(2.) The declaration of office made by said Mayor shall be substantially as follows :—

“I, *A. B.*, do declare that I am a British subject, and that I am possessed of the property qualifications by law required, and that I am not in any way disqualified from holding the office of Mayor. So help me God.”

(3.) The declaration of office made by said Aldermen shall be substantially as follows :—

“I, *A. B.*, Alderman elect for ward \_\_\_\_\_, do declare that I am a British subject, possessing the qualifications by law required, and that I am not in any way disqualified from holding the office of Alderman for the City of Vancouver, and I have not, nor will I have while holding office, any interest, directly or indirectly, in any contract or services connected with the said Corporation. I have not by myself or any other person knowingly employed any bribery, corruption, or intimidation to gain my election, and I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters. So help me God :”

(4.) Such declarations shall be in writing, and shall be filed in the office of the City Clerk, and be by him retained.

**19.** In case a member of the Council be convicted of felony, or any infamous crime, or be declared a bankrupt, or be charged in execution for debt, and remains in close custody or upon gaol limits for one month, or applies for relief as an insolvent debtor, or assigns his property for the benefit of creditors, or in case any member of the Council absents himself from the meetings of the Council for one month, or from the meetings of any committee of which he may be a member for two months, without having been previously excused from such attendance by a resolution of the Council, entered in its minutes, his seat in the Council shall thereupon become vacant.

**20.** In any case provided for by the next preceding section of this Act, or in case a person elected to the Council neglects or refuses to accept the office within six weeks after the time he should assume office, or to make the necessary declaration of office, or in case a vacancy occur in the Council, caused by death, judicial decision, or otherwise, the head of the Council for the time being, or in case of his absence or his office being vacant, the Clerk, or in case of the like absence or vacancy in the office of Clerk, any one of the members of the Council, shall forthwith, by warrant under the signature of such head of Council, Clerk, or member, and under the corporate seal,

require the Returning Officer appointed to hold the last election for the city, or any other person duly appointed to that office, or in case of the death or absence of such person, then any Deputy Returning Officer at the last election, to hold a new election to fill the place of the person neglecting or refusing, as aforesaid, or to fill the vacancy.

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- (1.) Every Mayor or Alderman so elected to replace another shall remain in office for the remainder of the time for which his predecessor had been elected, and no longer.

Term of office of person thereupon elected

*Contested Elections.*

21. If the election of the Mayor, or of one or more of the Aldermen, be contested, such contestation shall be decided by any Judge of the Supreme Court of British Columbia, or by any Judge of the County Court having jurisdiction in said City of Vancouver, in chambers, and the decision of said Judge shall be final.

Jurisdiction in cases of contested elections.

- (1.) Every such election may be contested by any unsuccessful candidate, or by any ten electors qualified to vote at such election:

Who may contest election.

- (2.) The said contestation shall be brought before the Judge in chambers, by petition, signed by the petitioner or petitioners, setting forth in a clear manner the grounds of such contestation:

Petition to be presented.

- (3.) If the Judge is of opinion that the grounds set forth in the petition are sufficient in law to avoid the election, he shall order proof to be adduced, and the parties interested to be heard on the nearest day which he deems expedient, and shall proceed in a summary manner to hear and try the said contestation. The evidence shall be given in the same manner as evidence in any ordinary civil cause, and if the trial of such contestation is not concluded at the close of the sitting at which it began, the Judge may continue the same from day to day until he has pronounced his final judgment upon the merits of the same; and every such judgment pronounced, and all proceedings had in any such case, shall have the same effect as if the same had been pronounced or had in open court:

Evidence in support of petition may be ordered.

- (4.) A true copy of the petition, with a notice stating the day on which the petition will be presented to the Judge, shall be first duly served upon the Mayor or Alderman whose election is contested at least eight days before the day on which the petition is presented to said Judge, and a return of the service shall be drawn up and signed in due form upon the original of the petition by the person who made the service; but no such petition shall be received after one month after the election thereby contested; nor shall any such petition be received unless security for costs, to be approved by said Judge, shall be given by said petitioner, or petitioners:

Petition and notices to be served on person whose election is objected to.

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—  
Powers of Judge at  
trial.  
Costs.

(5.) The Judge may on such contestation confirm the election, or declare the same to be null and void, or declare another person to have been duly elected, and may in any of such cases award costs to or against any party, which costs shall be taxed and allowed in the Supreme Court of the Province, and shall be recoverable by execution issued out of the said Court by order of said Judge :

Immaterial irregu-  
larities, &c.

(C) If any defect or irregularities in the formalities prescribed for the election are set forth in such a petition as a ground of contestation, the Judge may admit or reject the objections according as such defect or irregularity may or may not have materially affected the election :

Proceedings to carry  
judgment into effect  
by new election or  
otherwise.

(7.) In case the election complained of be adjudged invalid the Judge shall forthwith by writ cause the person found not to have been elected to be removed, and in case the Judge determines that any other person was duly elected, the Judge shall forthwith order a writ to issue causing such other person to be admitted to such office, and in case the Judge determines that no other person was duly elected instead of the person removed, the Judge shall, by a writ addressed to the Clerk of the Council, cause a new election to be held and the same formalities shall be observed at such election as are required to be observed at every general election under this Act :

Powers of Clerk on  
receipt of writ to  
remove persons ille-  
gally elected and for  
new election.

(8.) In case the election of all or any of the members of the Council be adjudged invalid, the writ for their removal and for the election of new members in their place, or for the admission of others adjudged legally elected, shall be directed to the Clerk of the Council, who shall have all the powers for causing an election to be held which the Council has in order to supply vacancies therein.

*Corrupt Practices.*

Certain persons to  
be deemed guilty of  
corrupt practices.

22. The following persons shall be deemed guilty of corrupt practices and shall be punished accordingly :—

Giving money to  
voters, &c.

(1.) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, or promises any money or valuable consideration, or gives or procures, or agrees to give or procure, or offers or promises any office, place or employment to or for any voter or to or for any person on behalf of any voter, or to or for any person in order to induce any elector to vote or refrain from voting at a municipal election, or upon any by-law for raising any money or creating a debt upon the city for any purposes whatsoever, or who corruptly does any act as aforesaid on account of such voter having voted or refrained from voting at any such municipal election or upon any such by-law :

Procuring office, &c.,  
for voters.



- (2.) Every person who directly or indirectly by himself or by any other person on his behalf, makes any gift, loan, offer, promise or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in any Municipal Council, or to procure or prevent the passing of any such by-law as aforesaid, or the vote of any voter at any municipal election or for or against such by-law: A.D. 1886.  
Or for persons influencing voters.
- (3.) Every person who by reason of any such gift, loan, offer, promise or agreement procures or engages, promises or endeavours to procure the return of any person in any municipal election, or to procure or prevent the passing of any such by-law as aforesaid, or the vote of any voter at any municipal election for or against such by-law: Corruptly influencing voters.
- (4.) Every person who advances or pays, or causes to be paid any money to or to the use of any other person, with the intention that such money or any part thereof shall be expended in bribery at any municipal election as aforesaid, or who knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election, or at the voting upon any such by-law: Advancing, &c., money for bribery, &c.
- (5.) Every voter who, before or during any municipal election, or the voting on any such by-law, directly or indirectly, by himself or any other person, on his behalf, receives, agrees or contracts for any money, gift, loan, or valuable consideration, office, place of employment for himself or any other person, for voting or agreeing to vote, or refraining, or agreeing to refrain, from any voting at any such election or upon any such by-law: Voter receiving money, &c., for vote, or agreeing for money to vote, &c.
- (6.) Every person who after any such election, or the voting upon any such by-law, directly or indirectly, by himself or any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting at any such election or upon any such by-law: Receiving money, &c., after the election, for voting, &c.
- (7.) Every person who directly or indirectly, by himself or by any other person on his behalf, makes use of any force, violence, or restraint, or inflicts, or threatens the infliction, by himself or by or through any other person, of any injury, damage, or loss, or in any manner practices intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at an election, or who in any way prevents or otherwise interferes with the free exercise of the franchise of any voter, shall be deemed to be guilty of undue influence and be subject to the penalty hereinafter mentioned: Persons using violence or intimidation to be guilty of undue influence.

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Persons corruptly  
providing refresh-  
ments to be deemed  
guilty of treating.

(8.) Every person who corruptly, by himself, or by or with any person, or by any other ways or means on his behalf, at any time either before or during any election, or the voting upon any by-law, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays wholly or in part any expenses incurred for any meat, drink, refreshment, or provisions, to or for any person, in order to be elected, or for being elected, or procuring the election of any other person, or the passage of any such by-law, or for the purpose of corruptly influencing such person or any other person to give, or refrain from giving, his vote at such election or upon such by-law, shall be deemed guilty of treating.

False personation.

(9.) Every person who, during the voting at an election or upon any by-law, knowingly personates and falsely assumes to vote in the name of another person whose name appears on the voters' list, whether such person be then living or dead, or if the name of such other person be a fictitious person; every person who having already voted at an election, or upon a by-law, presents himself again to vote at the same election, or upon the same by-law; and every person who aids, incites, counsels, or facilitates the commission, by any person whomsoever, of any of the foregoing acts in this sub-section mentioned.

Voting more than  
once, &c.

Expenses of candi-  
dates.

23. The actual personal expenses of any candidate, his expenses for actual professional services performed, and bona fide payments for the fair costs of printing and advertising, shall be held to be expenses lawfully incurred, and a payment thereof shall not be a contravention of this Act.

Votes of persons  
guilty of corrupt  
practices to be  
struck off.

23A. Upon the trial of any petition against the election of a Mayor or Alderman, or against any by-law voted upon by the ratepayers under this Act, there shall be struck off from the number of votes given for any candidate, or for or against such by-law, one vote for each person who shall have been proved to have voted after having been guilty of a corrupt practice at the instigation of the candidate, or one of his agents, or of any person acting in the name of or in the interest of such candidate, or acting for or against such by-law, as the case may be.

Evidence of corrupt  
practice on applica-  
tion in nature of quo  
warranto, &c.

24. Where in an application in the nature of a quo warranto, or upon any such petition, or upon application to quash any by-law, any question is raised as to whether the candidate, or any voter, or other person, has been guilty of any violation of section twenty-two of this Act, affidavit evidence shall not be used to prove the offence, but it shall be proved by viva voce evidence taken before any Judge of the Supreme Court, or the Judge of the County Court having jurisdiction in the said City of Vancouver, or by an examination upon an appointment granted by such Judge as in cases pending in any such Court.

**25.** Any candidate elected at any municipal election which is contested, being found guilty by the Judge of any corrupt practice, undue influence, or treating as aforesaid, shall forfeit his seat, and shall be ineligible as a candidate at any municipal election for two years thereafter.

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Penalty on candidate guilty of corrupt practice, &c.

**26.** Any person who is adjudged guilty of any of the offences within the meaning of said section twenty-two, shall incur a penalty of not less than ten or more than fifty dollars, and shall be disqualified from voting at any municipal election, or upon any by-law for the next succeeding two years, or from being a candidate at any municipal election during said two years.

Additional penalties.

**27.** The penalties imposed by the last preceding section shall or may be recoverable with full costs of suit by any ratepayer of the city who may sue for the same by action of debt in any Court having jurisdiction where the offence was committed, and any person against whom judgment is rendered shall be ineligible either as a candidate or municipal voter until the amount which he has been ordered or adjudged to pay is fully paid and satisfied.

Recovery of penalties.

**28.** It shall be the duty of the Judge who finds any candidate guilty of a contravention of section twenty-two, or who condemns any person to pay any sum within the meaning of the last preceding section, to report the same forthwith to the Clerk of the City. The Clerk of the City shall duly enter, in a book to be kept for the purpose, the names of all persons who shall have been adjudged guilty of any offence as aforesaid, and of which he shall be notified by the Judge as aforesaid.

Judge to make return.

Clerk to keep book showing names of persons guilty of offences, &c.

**29.** Any witness shall be bound to attend before any Judge upon being served with the order of such Judge, or a subpoena issued by the Court, directing his attendance, and upon payment of the necessary fees for such attendance, in the same manner as if he had been directed by a writ of subpoena in an ordinary cause to attend, and he may be punished for contempt, and shall be liable to all the penalties for non-attendance as if he had been served with a subpoena in an ordinary cause.

Attendance of witnesses.

**30.** No person shall be excused from answering any question put to him in any action, suit, or other proceeding, or before any Judge, touching or concerning any election or the voting upon any by-law, or the conduct of any person thereat, or in relation thereto, on the ground of any privilege, or on the ground that the answer to such question will tend to criminate such person; but no answer given by any person claiming to be excused on the ground of privilege, or on the ground that such answer will subject him to any penalty under this Act, shall be used in any proceeding under this Act against any such

Witnesses not excused from answering on grounds of self crimination or privilege.

Proviso.

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—

person, if the Judge gives to such witness a certificate that he claimed the right to be excused on either of the grounds aforesaid, and made full and true answer to the satisfaction of the Judge.

*Assessments.*

Assessment.  
Commissioner and  
assessors to be ap-  
pointed.

**31.** The Council shall appoint an Assessment Commissioner, and when necessary one or more, and not more than three, assistants, all of whom shall be called Assessors, and they shall constitute a Board; and the salaries to be paid to the said assistants shall be fixed by the Council at such rate per month for each of them during the time they are employed as the Council may think right; and the salary to be paid the said Assessment Commissioner, who shall be a permanent officer of the city, shall also be fixed by the Council.

Assessor to be under  
the control, &c., of  
Commissioner.

**32.** The assistant or assistants of the Assessment Commissioner, after his or their appointment by the Council, shall be under the control and supervision of the Assessment Commissioner, who shall have the right, irrespective of the Council, to suspend any assistant disobeying orders or otherwise, in his opinion, violating the duties of his office, pending the action of the Council, and during which period his salary and wages shall cease; and the said Assessment Commissioner may also, during such suspension of any assistant pending the action of the Council, employ another to fill his place.

Council to provide  
him with assessment  
roll.

**33.** The Council shall, on or before the first day of November in each year, furnish the Assessor or Assessors appointed with a printed or ruled form of an assessment roll, in conformity with Schedule A of this Act, in which, after enquiry, he or they shall set down all the information therein required to be contained, and also with a sufficient number of blank forms to proceed with and conclude the assessment.

All rateable property  
to be valued.

**34.** It shall be the duty of the Assessor or Assessors annually to make a valuation of all the rateable property in the city, and to report the same with such particulars as the Council may require.

Revision of the valu-  
ations.

Assessment roll to  
be made out.

**35.** It shall be the duty of the said Assessor or Assessors to revise the valuations made by each Assessor, if more than one Assessor be appointed, and to see that all rateable property in the city is assessed, and to make out an assessment roll in such form as the Council may direct; and when such assessment roll is completed it shall be the duty of such Assessor or Assessors to deliver, or cause to be delivered, at least fifteen days before the first sitting of the Court of Revision, to each person so assessed who resides within the city, either personally or by leaving the same at their residence or place of business, or by posting same addressed to such person at Vancouver City, a notice containing a copy of so much of the assessment roll as refers to the property of such person, and to mail to the address of any non-resident

Notices of assess-  
ment to be delivered  
to persons assessed.

who is rated upon such roll a like notice, provided such person has by writing requested to be assessed; and in all other cases proprietors shall be assessed as non-residents, and no notice shall be required.

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- (1.) It shall be the duty of such Assessor or Assessors, if more than one be appointed, to begin to make the assessment, not later than the first day of November in each year, for the year following, and to return the assessment roll not later than the first day of February in each year, and he or they shall attach thereto a certificate signed by him, or each of them (if more than one Assessor), and verified upon oath or affirmation before the Mayor, Police Magistrate of the city, a Judge of the Supreme Court or of the County Court, or before any Justice of the Peace having jurisdiction in the city, and such oath or affirmation shall be in the form following:—

When assessment roll to be completed.

“I [*or we*] do solemnly certify (each for himself and for each other), as far as my [*or our*] knowledge extends, that I [*or we*] have set down in the above assessment roll all the real property liable to taxation situated within the ward of the City of Vancouver, and the true and lawful value thereof, according to the best of my [*or our*] information and judgment, and also that the said assessment roll contains a statement of the aggregate amount of the personal property of every person named in the said roll, and that I [*or we*] have estimated the same according to the best of my [*or our*] judgment, information, and belief, and I [*or we*] certify that I [*or we*] have entered thereon the names of all the resident householders, tenants, and freeholders, and of all other persons entitled to be assessed who have required their names to be entered thereon, with the true amount of property occupied or owned by each, and that I [*or we*] have not entered the name of any person whom I [*or we*] do not truly believe to be a householder, tenant, or freeholder, or the bona fide occupant or owner of the property, and that the date of delivering or transmitting the notice required herein is in every case truly and correctly stated in said roll; and I [*or we*] further certify and swear [*or affirm, as the case may be*] that I [*or we*] have not entered the name of any person in order to give such person a vote, or at too low a rate in order to deprive such person of a vote, or for any other reason whatever, and that the amount for which each person is assessed upon the said roll truly and correctly appears in the said notice, delivered or transmitted to him as aforesaid, and that I [*or we*] have truly set down upon the said roll the number of horses, cattle, sheep and pigs in the possession of each person assessed, as stated to me [*or us*] by the persons so assessed. So help me God.”

Certificate attached to roll.

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Assessor to gather  
all necessary inform-  
ation.

Real estate of Rail-  
way Companies, &c.

Inspection of Assess-  
ment Roll.

(2.) It shall be the duty of such Assessor or Assessors, in addition to other duties imposed upon them, to collect such other information as is required by any Act of the Legislature of this Province, or by any Order in Council passed thereunder :

(3.) The real estate of all railway companies shall be considered as lands of residents, although the company has not an office in the city, except in cases where a company ceases to exercise its corporate powers through insolvency or other cause :

(4.) It shall be the duty of the City Clerk, on the return of the assessment roll, to give notice when and where the same may be inspected, said notice to be given at least thirty days before the Court of Revision, which notice shall be published in a newspaper in the city, and shall also state the time and place at which such Court of Revision shall hold its first meeting.

Particulars respect-  
ing real property to  
be delivered to as-  
sessor in writing by  
the parties to be as-  
sessed.

36. It shall be the duty of every person assessable in the city to give all necessary information to the Assessor or Assessors, and if required by one or more of the Assessors he shall deliver to him or them a statement in writing signed by such person or by his agent, if the person himself be absent, containing all the particulars respecting the property assessable against such person which are required in the assessment roll. It shall be the duty of the Registrar of the Land Registry Office of the district in which said city is situated, when so required by the Assessor or Assessors, to allow him or them access, free of charge, at all reasonable times, to the books containing the records of city property, for the purpose of perfecting such assessment.

Penalty for not  
giving statement.

37. In case any person fails to deliver to the Assessor or Assessors the written statement mentioned in the preceding section, when required so to do, such person shall, upon conviction before the Mayor or Police Magistrate, or any Justice of the Peace having jurisdiction in the city, forfeit to the Corporation a sum not exceeding fifty dollars and costs, to be recovered by distress and sale of the goods and chattels of the offender, in like manner as if convicted of the breach of any by-law of the city.

Statements given by  
parties not binding  
on assessors.

38. No Assessor or Assessors shall be bound by any such statement if he or they has or have any reason to doubt its accuracy, nor shall he or they be excused on account thereof from making inquiry to ascertain its correctness, and he or they shall discriminate as to property mentioned therein which is legally assessable or otherwise, and may assess such person for such amount of real and personal property, as he or they believes or believe to be just and correct, and may omit his name or any property which he claims to own or occupy if the Assessor or Assessors has or have reason to believe that he is not entitled to be placed on the roll or to be assessed for such property.

**39.** Unoccupied lands shall be denominated "Lands of Non-Residents" unless the owner thereof has a legal domicile or place of business in the city or gives notice in writing setting forth his full name, place of residence and post-office address to the Clerk of the City on or before the thirtieth day of October in each year, that he owns such land, describing it, and requires his name to be entered on the Assessment Roll therefor, and the Clerk of the City shall on or before the first day of November in each year make up and deliver to the Assessor or Assessors a list of the persons requiring their names to be entered on the roll and the lands owned by them.

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Unoccupied lands to be called "Lands of non-residents," except, &c.

(1.) All property, the name of the owners of which shall not be ascertained by the Assessor or Assessors, shall be entered on the assessment roll as "Non-Resident Property:"

When owner unknown.

(2.) Lands occupied by the owner shall be assessed in his or her name:

When land to be assessed in owner's name.

(3.) As to lands not occupied by the owner but of which the owner is known and who at the time of the assessment being made resides or has a legal domicile or place of business in the city, or who has signified by writing to the City Clerk, as herein provided, that he owns the land and requires to be assessed therefor, the same shall be assessed against such owner alone if the land is unoccupied, or against such owner and occupant when occupied.

When land not occupied by the owner, but owner is known.

**40.** All municipal rates or taxes shall when no other provisions have been made in this respect be levied equally on the whole rateable property, real and personal, of the city according to the assessed value of such property and not upon any one or more kinds of property in particular or in different proportions.

All taxes to be levied equally upon the rateable property, when no other provision made.

#### *Exemptions.*

**41.** All land and personal property in the city shall be liable to taxation subject to the following exemptions, that is to say:—

What property liable to taxation.

(1.) All property vested in or held by Her Majesty, or vested in any public body or body corporate, officer or person in trust for Her Majesty or for the public use of the Province, and also all property vested in or held by Her Majesty or any other person or body corporate in trust for or for the use of any tribe or body of Indians, and either unoccupied or occupied by some person in an official capacity:

All property belonging to Her Majesty.

Indian lands unoccupied or occupied officially.

(2.) When any property mentioned in the preceding clause is occupied by any person otherwise than in an official capacity, the occupant shall be assessed in respect thereof, but the property itself shall not be liable:

But if occupied not officially.

(3.) Every place of worship, and not more than one acre of land used in connection therewith, and every burying ground; but in

Places of worship, &c.

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no case shall any one parish, church or congregation be entitled in the aggregate to more than two acres by way of exemption :

Public educational institutions, mechanics' institutes, &c.

(4.) The buildings and grounds of and attached to and the furniture, library and educational appliances belonging to every university, college, high school, public free library, mechanics' institute, the lands of any agricultural or horticultural society, or any incorporated seminary of learning, whether vested in trustees or otherwise, so long as such buildings and grounds are actually used and occupied by such institution, or if unoccupied, but not if otherwise used or occupied :

City hall, &c.

(5.) Every public school-house, city hall, court-house, gaol, house of correction, lock-up house, and public hospital, or incorporated charitable institution, with the lands attached thereto and the personal property belonging to each of them and used in connection therewith :

Public roads, &c.

(6.) Every public road, street way, square or block :

Municipal property.

(7.) The property belonging to the city, whether occupied for the purposes thereof or unoccupied, but not when occupied by any person as a tenant or lessee or otherwise than as a servant or officer of the city for the purposes of said city :

Household effects, books, &c.

(7a.) Household effects of whatever kind, books and wearing apparel :

Penitentiary, &c.

(8.) Any penitentiary, prison, or reformatory, and the land attached thereto, belonging to the Province :

Poor-houses, &c.

(9.) Every poor-house, alms-house, orphan asylum, house of industry, and lunatic asylum, and every house belonging to a company for the reformation of offenders, and the real and personal property belonging to or connected with the same, and used in connection therewith :

Militia horses.

(10.) Every horse regularly enlisted for duty in any corps of the active militia of Canada.

When not held for sale, but for gardens, &c.

42. When ground is not held for the purpose of sale, but for bona fide use as a farm or market garden, or in connection with a building as a paddock, park, lawn, garden, or pleasure ground, it shall be assessed at a valuation of which eight per cent. would equal the annual rental, which in the judgment of the Assessor or Assessors it is fairly and reasonably worth for the purpose for which it is used, reference being always had to its position and local advantages.

#### *Miscellaneous Provisions.*

Formal defects in roll.

43. No assessment shall be invalid by reason of omission of assessable property therefrom, or of any defect in form, or because of the non-return of the roll at the time specified.



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- (1.) No person in Her Majesty's naval or military service on full pay, or in actual service, shall be liable to perform statute labour, or to commute therefor.

Persons in naval or military service not to perform statute labour.

*Court of Revision.*

44. The assessment roll of the city shall be annually revised and corrected by the Council thereof at a Court of Revision; and the person or persons so assessed, or not assessed, if he or they complain of their assessment or non-assessment, or of the assessment or non-assessment of any other person, shall, at least seven days previous to the first meeting of the Court of Revision, notify the Clerk of his or their ground of complaint, and the Council shall, at the time and place mentioned in the notice referred to in section thirty-five, sub-section four, of this Act, form themselves into a Court of Revision, to be composed of not less than four members of the Council, for hearing such complaints, and after hearing the parties complaining, as well as the Assessor or Assessors, and such evidence as may be adduced, the said Court of Revision may confirm or alter, raise or lower, the assessment, and amend the roll accordingly; and every such decision shall be considered as final, except the same is further amended on appeal to the Judges as hereinafter provided.

Assessment roll to be revised annually.

Notice of complaint.

Hearing same, &c.

- (1.) At the Court of Revision the complainant, witnesses, or Assessors shall give evidence under oath. Four members of the Council shall be a quorum of the Court. Any member thereof may administer the oath to any party giving evidence thereat; and the Clerk of the Council shall be the Clerk of the Court, unless the Court otherwise determines:

Quorum.

May administer oaths.

Who to be clerk.

- (2.) The roll, as finally passed by the Court of Revision and certified by the Clerk as passed, shall, except in so far as the same may be further amended on appeal as hereinafter provided, be valid, and bind all parties concerned, notwithstanding any error or defect committed in or with regard to such roll, or any defect, error or mis-statement in the notice required by section thirty-five, sub-section four, of this Act, or omission to deliver or transmit such notice.

Roll to be binding notwithstanding errors in it, or in notice sent to persons assessed.

44A. If a person be dissatisfied with the decision of the Court of Revision he may appeal therefrom, in which case—

Appeal from Court of Revision.

- (1.) He shall within one week after the decision, in person or by attorney, serve upon the Clerk of the city a written notice of his intention to appeal to the Judge, or acting County Court Judge having jurisdiction within said city:

Service of notice of appeal.

- (2.) The Judge shall appoint a day for hearing the appeal, notice of which shall be given by the Clerk:

Day for hearing.

- (3.) The Judge shall hear the appeal and evidence adduced upon oath at the time and place appointed, in a summary manner

Hearing and adjournment.

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and may adjourn the hearing from time to time and defer judgment therein at pleasure:

Assessment roll to be produced to the Court.

(4.) The City Clerk shall on any appeal from the decision of the Court of Revision produce before the Judge, at the time and place appointed for hearing the appeal, the assessment roll and all papers and documents in his possession in any way affecting the matter:

Costs to be awarded by the Judge, and how enforced.

(5.) The costs of such appeal shall be in the discretion of the presiding Judge, who shall fix the amount thereof and order by whom and to whom the same shall be paid, and the payment thereof may be enforced by execution issued out of the said County Court upon an order of said Judge.

*Levying Rate.*

Yearly rate to be levied by by-law.

45. The Council of the city shall, in each and every year after the final revision of the assessment roll, pass a by-law for levying a rate, or rates, on all the real and personal property on the said roll, to provide for all the necessary expenses of the city, as well the payment of every such sum, or sums, as the city shall have undertaken to be liable for during the current year, in respect of any debenture, or other debt or obligation, and also such other sum or sums of money as may be found expedient; provided always, that the rate to be levied in any year, in addition to what is required for payment of interest on outstanding debentures, and the amount required for a sinking fund therefor, and for school purposes (if any), shall not exceed the sum of one and one-third cents on the dollar.

Rate not to exceed  $1\frac{1}{3}$  per cent.

*Collection of Rates.*

Clerk to make out tax rolls; their form, contents, &c.

46. Upon and forthwith after the said final revision of the assessment roll, and the passage of such by-law, the Clerk of the city shall make out a tax roll, or rolls, in which he shall enter all the land and taxable property in said city, which shall contain columns for all the information required by this Act, or otherwise to be entered therein. The said roll shall be in three parts, and in the first part, which may be called the "resident roll," he shall set down, alphabetically arranged, the name in full of every person assessed, and the assessed value of his real and personal property, as ascertained after said final revision, and he shall calculate, and opposite the said assessed value therein of each respective person he shall set down, in separate columns, headed with the name or object of each rate, or otherwise, as the case may require, the amount for which the person is chargeable for each purpose respectively, and the total amount required to be collected from or paid by such person on the assessment of that year, for all purposes for which a levy is required to be made in the city; and every rate, the proceeds of which are required by law, or the by-law imposing it, to be kept distinct, or accounted for separately, shall be

so entered and calculated separately. And in the second part, which may be called the "non-resident roll," he shall set down and enter the lands of non-residents, whose names have not been set down in the assessor's roll, together with the value of each lot, part of lot, or parcel, as ascertained after said revision, and he shall enter opposite to each lot, or parcel, all the rates or taxes with which the same is chargeable, in the same manner as is provided for in said first part or "resident roll." And in the third roll he shall set down in numerical order the blocks and lots with the rates as aforesaid.

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Rolls of lands of non-residents whose names not in assessment rolls, &c.

47. The said tax roll shall also have a column in which shall be entered any arrears of taxes due on or in respect of any land or other property in the city, and said arrears shall be set down opposite the name of the person, or in the non-resident and numerical rolls opposite the land liable therefor; and these arrears of taxes shall be such as shall have been furnished to the Clerk of the city by the Collector, or such as the City Clerk shall himself be otherwise aware of, from the books or other accounts in his office or possession as such Clerk, as being legally due on or in respect of any land or property in said roll.

Arrears of taxes to be entered.

48. When the said roll is completed, all parts shall be given to and remain in the hands of the Tax Collector for collection.

Completed roll to be given to collector.

49. On receiving said tax roll the Collector shall forthwith serve upon, or transmit by mail (registered), a notice containing a statement and demand of taxes to each person whose name appears on said resident roll, or to the agent of such person, if absent, and if he knows the name of such agent, and to each person on the non-resident roll, if he knows the address of such person, or his agent; and such statement and demand shall mention the time when such taxes are required to be paid, and what discount (if any) will be allowed for prompt payment of the same; and the said Collector shall enter the date of mailing such notice in said tax roll opposite the name of the person taxed, and such entry shall be prima facie evidence of the mailing of same.

Collector to serve notice demanding payment of rates.

50. In case any person resident in the city, or who being a non-resident, shall have required his name to be placed on said assessment roll, and who personally, or by his duly authorized agent in the city, shall have been served with, or shall have such statement mailed to him as aforesaid, neglects to pay his taxes for thirty days after such demand as aforesaid, the collector may, by himself or agent, unless the time for payment of taxes shall have been extended by a by law of the Council to a period or periods beyond said thirty days, levy the same with costs by distress and sale of the goods and chattels of the person who ought to pay the same, or any goods and chattels in his possession or in the possession of any person for him wherever the same may be found in the city, and the costs chargeable shall be those the Council may by by-law, from time to time, allow for the same.

When payment is not made, collector to levy the tax by distress and sale.

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Public notice of sale  
to be given, and in  
what manner.

51. Notice shall be given by posters posted up in at least three of the most public places of the city, and in three issues of one or more newspapers published therein, when and where the sale of goods and chattels distrained is to be made, giving at least eight days' public notice of sale, and of the name of the person whose property is to be sold; and at the time named in the notice, the Collector, or his agent, shall sell at public auction the goods and chattels distrained, or so much thereof as may be necessary. And in all cases when goods and chattels are enclosed, or supposed to be enclosed, by doors of houses, barns or outbuildings, cupboards, or other close places, whether enclosed by walls, fences, gates or otherwise, the seizing officer may open the same, or cause the same to be opened in the presence of two witnesses, with all necessary force to effect said opening, and in all cases goods and chattels in and upon the premises, upon which taxes are due, shall be liable for the payment of the same.

Surplus to be paid to  
party in whose pos-  
session the goods  
were, or to other  
person entitled.

52. If the goods and chattels seized are sold for more than the whole amount levied for, and the costs attending the seizure and sale, the surplus, on demand, shall be returned to the person in whose possession such goods and chattels were at the time when the seizure was made; and in case said surplus shall not be demanded, it shall be paid over by the Collector to the Treasurer and remain in the hands of said Treasurer, to be held for and paid over on demand to the person in whose possession said goods were as aforesaid, or otherwise to the person entitled, as owner of said goods and chattels, to said surplus.

Rates to be a charge  
against tenant or  
occupier as well as  
owner.

53. All Assessments under this Act shall be due and payable not only by the owner of the property upon which they are imposed, but also by the possessor or occupant of the property and by the tenant or lessee of such property to the extent to which the possessor, occupant, tenant or lessee is indebted to such owner, and the payment by any such person shall be a discharge of the property for the amount so paid, and shall also be a discharge to the possessor, occupant, tenant or lessee of so much of his indebtedness to the owner as he shall have so paid.

Proceedings when  
taxes are unpaid,  
and cannot be col-  
lected.

54. If any of the taxes mentioned in the tax roll remain unpaid and the Collector is not able to collect the same, he shall show on said roll when returned, opposite to each assessment or by a statement appended to said roll, the reason why the same could not be collected, by adding the words "non-resident" or "not sufficient property to dis-  
train," as the case may be.

Taxes to be a lien  
upon land, &c.

54A. The taxes accrued on any land, or goods or chattels, shall be a special lien on such land, goods and chattels, having preference to any claim, lien, privilege or incumbrance of any party except the Crown, and shall not require registration to preserve it.

**54B.** The Corporation may register with the Registrar of Titles, all taxes which may be due on the land at the expiration of the fiscal year, and a fee of twenty-five cents shall be paid for each tax so registered, and the same fee for a discharge of each such tax.

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Taxes may be registered as a charge.

**55.** The Collector shall not receive any part of the taxes charged against any parcel of land unless the whole of the arrears then due is paid, except as provided for in section 53 of this Act, or satisfactory proof is produced of the previous payment, or erroneous charge of any portion thereof; but if satisfactory proof is adduced to him that any parcel of land on which taxes are due has been subdivided, he may receive the proportionate amount of taxes chargeable upon any of the subdivisions, and leave the other subdivision chargeable with the remainder.

The whole amount to be paid at once, unless the land is subdivided.

**56.** The Collector on demand, during the time in which he shall have the tax roll in his possession, shall furnish to any person requiring the same, a written statement of the arrears of taxes at that date in respect of any specified land; and he may charge a fee of twenty-five cents for furnishing such statement if it does not contain more than five lots or parcels, and a further fee of ten cents for every additional ten lots or parcels, but he shall not make any charge for search or statement to any person who pays the taxes, provided that no more than two dollars shall be charged for any statement.

If demanded, collector to give a written statement of arrears.

**57.** The Tax Collector shall be the Collector of all the assessments imposed within the limits of the city.

Collector to collect all taxes.

#### *Sale of Lands for Taxes.*

**58.** Whenever a portion of the tax on any land has been due two years, the Collector shall submit to the Mayor a list, in duplicate, of all the lands in his books belonging to the city, the non-resident, or other taxes on which he is authorized to collect, and liable under the provisions of this Act to be sold for taxes, with the amount of arrears against each lot set opposite to the same, and the Mayor shall authenticate each such list by affixing thereto the seal of the Corporation and his signature, and one of such lists shall be deposited with the Clerk of the City, and the other shall be given to the Treasurer, with a warrant thereto annexed, under the hand of the Mayor and the seal of the city, commanding him to levy upon the land for the arrears due thereon with costs.

When lands to be sold for taxes.

Arrears due for two years to be levied by warrant of mayor to treasurer.

**59.** The said Treasurer shall not sell any lands which have not been included in the lists furnished him as aforesaid.

What lands only the treasurer shall sell

**60.** The Treasurer shall prepare a copy of the list of lands to be sold, as authorized by this Act, and shall include therein, in a separate column, a statement of the proportion of costs chargeable on each lot for advertising, and the sum of twenty-five cents for each parcel

Treasurer to prepare list of lands to be sold and advertise in Gazette.

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advertised for sale, and shall cause such list to be published for four weeks in the British Columbia Gazette, and once a week, for four successive weeks immediately preceding the day of sale therein named, in at least one newspaper published or circulating in the city.

When treasurer sells land, the fee of which is in Crown, he shall only sell the interest the Crown has parted with.

**61.** Where the title to any land sold for arrears of taxes is vested in the Crown, the deed therefor, in whatever form given, shall be held to convey only such interest as the Crown may have given or parted with, or may be willing to recognize or admit that any person or persons possesses or possess under any colour of right whatever; and the city, in case of any sale for taxes being declared invalid, shall be liable only for the purchase money actually paid therefor to the Treasurer, and legal interest thereon, as for damages or otherwise.

Notice to be given in such advertisement.

**62.** The advertisement shall contain a notification that unless the arrears of taxes and costs are sooner paid, the Treasurer will proceed to sell the lands for taxes on a day and at a place named in the advertisement.

Time and place of sale to be given.

**63.** Every such notice shall specify the place, day, and hour at which such sale will commence; each lot or parcel of land shall be designated therein by a reasonable description for registration purposes.

All land liable to be included in same statement.

**64.** All the lots thus liable for sale in the City shall be included in the same statement and in the same notice; but any neglect or omission to include any land liable for sale in said list, shall not be held to prevent the sale of the said land on any future occasion for all arrears of taxes that may be due thereon.

Time of sale.

**65.** The day of sale shall not be more than forty days after the first publication of the list, and the sale shall take place at such place in the city as the Council shall from time to time by resolution or by-law appoint, and in the absence of such appointment, at such place in the city as the Mayor in his said warrant shall name.

Notice to be posted up.

**66.** The Treasurer shall post up in some convenient and conspicuous place in his office a copy of such tax sale advertisement.

Expenses added to arrears.

**67.** The Treasurer shall, in each case, add to the arrears of taxes published, his charges, and the cost of publication.

Adjourning sale, if no bidders.

**68.** If at any time appointed for sale of the lands no bidders appear, the Treasurer may adjourn the sale from time to time; provided always that no such adjournment shall be for a period exceeding fourteen days.

If taxes not paid sale to take place.

**69.** At the place, day, and hour appointed for the sale of the lands, and if the taxes thereon, including the costs and charges, have not been previously paid or collected, the Treasurer shall offer the lands for sale by public auction, and in doing so shall make and declare the

amount stated in the list or advertisement as the taxes due together with his charges and cost of publication, the upset price on each respective lot or parcel as offered for sale, and shall then sell the same to the highest bidder, or to such person as shall be willing to take it at the said upset price, there being no higher bidder, but subject to redemption as hereinafter provided for.

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**70.** If the land will not sell for the full amount, or arrears of taxes due and all charges, the Treasurer shall then and there sell for any sum he can realize, and shall accept such sum as a discharge of the land sold for such arrears of taxes, but the owner thereof shall not be relieved thereby from any liability in respect of any deficiency arising from such sale; nor shall the land so sold be redeemed except upon payment to the Treasurer of the full amount of taxes due, together with the expenses of sale, with legal interest thereon, and all taxes that have accrued on said lands since the sale thereof; and the Treasurer shall account to the city for the amount realized in such case, over and above all charges and the cost of publication, and in the event of redemption as aforesaid to the tax purchaser for the amount of his purchase money, with interest as aforesaid, and all taxes he may have paid on said lands since the sale thereof.

When land does not sell for full amount of taxes.

**71.** If the land sells for a greater sum than the taxes due, together with all charges thereon, the purchaser shall only be required to pay at the time of sale the amount of said taxes and charges, and the balance of the purchase money shall be payable within one calendar month after the time of redemption of said land shall have expired without the same having been redeemed within the time limited.

When land sells for greater sum than taxes due.

Disposal of surplus.

**72.** If the purchaser of any parcel of land fails immediately to pay to the Treasurer, on account of said purchase, the amount claimed for arrears of taxes and charges, or such lesser sum as he may have purchased for, the Treasurer shall forthwith again put up the property for sale.

When purchaser fails to pay purchase money.

**73.** The Treasurer, after selling any land for taxes, shall give a certificate under his hand to the purchaser, describing the land as advertised, the interest therein sold, the sum for which it has been sold, and all the expenses of such sale, and further stating that a deed conveying the same to the purchaser, or his assigns, according to the nature of the estate or interest sold, will be executed by the Mayor and Treasurer, on his or their demand, at any time after the expiration of one year from the day on which an order shall be made by a Judge of the Supreme Court confirming the sale; and such order may be made upon petition, on proof being made to the satisfaction of the Judge, that notice of the sale, and of the consequence thereof, in writing, or partly in print and partly in writing, signed by the Collector, has been served on the person who at the time of the service

Treasurer selling to give purchaser a certificate of land sold

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thereof was the registered owner, or if there be no such owner, then the last known owner of the land, or that substituted service of such notice has been effected in such manner as any such Judge may have directed, if the land be not previously redeemed, and upon the payment of the balance of purchase money remaining, over and above the amount paid at the time of sale, and upon payment of the subsequent taxes (if any), and of the Treasurer's fee of two dollars for said deed.

Purchaser of land sold for taxes to be deemed owner thereof, for certain purposes, on receipt of treasurer's certificate.

**74.** The purchaser shall, on receipt of the Treasurer's certificate of sale, become the owner of the land, so far as to have all necessary rights of action and powers for protecting the same from spoliation or waste, until the land be redeemed, or until the expiration of the term during which it may be redeemed.

Treasurer to keep record of land sold for taxes,

(1.) The statement of the land so sold for arrears of taxes, with the names of the respective purchasers, the date of sale, the time for redemption and amount required to redeem, shall, within thirty days from the date of sale or adjourned sale, be entered by the Treasurer in a book, to be kept by him for the purpose. Whenever any parcel of land is redeemed the Treasurer shall forthwith write against the entry of the lot mentioned therein in the said book the word "redeemed," and the name and address of the person by whom or for whom the redemption money was paid, in a column in said book reserved for the purpose :

And when and how redeemed.

Title of record book.

(2.) The book in which such statements shall be entered shall be called the "Tax-sale book of the City of Vancouver."

Fees payable on searching record, &c.

**75.** The Treasurer shall be entitled to a fee of twenty-five cents for each search as to any respective lot or parcel of land to ascertain if the same has been sold for arrears of taxes, as shown by the entry in any such tax sale book, and an additional sum of twenty-five cents for a certificate as to such sale or otherwise, or as to such redemption, if made, or for an inspection, if required, of the said book ; and where a certificate is given as to any parcel of land having been sold for taxes, it shall give the amount required for redemption, the name and address of the purchaser, or the person who redeemed, and the date of sale and of redemption in case it shall appear to have been redeemed.

Land may, within one year, be redeemed by paying purchase money, &c.

**76.** Any land which may hereafter be sold for non-payment of arrears of taxes, may at any time within one year from the day on which the order mentioned in section seventy-three of this Act confirming said sale is made, or before the delivery to the tax purchaser of the conveyance thereof, be redeemed by paying or tendering to the Treasurer, for the use and benefit of the purchaser or his legal representatives, the sum paid by him, together with legal interest thereon, and on payment or tender of all taxes, that have accrued on the land since the sale thereof for taxes ; and the Treasurer shall give



the party paying such redemption money, and subsequent taxes (if any), a receipt stating the sum paid and the object of payment, and the name of the person on whose behalf such payment is made, and such receipt shall be evidence of the redemption. For the purpose of this Act, the day of sale shall be the day on which the sale was advertised to take place, without reference to any adjournment or adjournments.

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**77.** From the time of payment to the Treasurer of the full amount of redemption money required by this Act, all rights and interests of the purchaser shall cease.

Purchaser's interest ceases upon redemption.

**78.** Whenever any such redemption is effected by a person other than the owner or his legal representatives, interested, but not specially authorized, the Treasurer shall mention in a receipt given by him for the redemption money, the name and designation of the person paying the same, and the name of the person on whose behalf such payment is made; and every such receipt shall be made in duplicate, one of which shall be delivered to the person paying the redemption money, and the other shall remain on record in the office of the Treasurer. The Treasurer immediately after the redemption of any land shall give notice by registered letter to the party appearing on his books as the purchaser of the same, apprizing him of the fact of such redemption and of the amount of money paid in for such purpose.

When land redeemed by person not authorized by owner.

**79.** If the land be not redeemed within the period allowed for its redemption by this Act, then on the demand of the purchaser, his heirs or assigns, or other legal representatives, at any time after the expiration of the time limited for redemption, upon payment of the balance of purchase money, and subsequent taxes (if any) as aforesaid, and of the further sum or charge of two dollars, he or they shall be entitled to receive from the Treasurer a conveyance under the seal of the corporation of the lands so sold.

Deed of sale, if not redeemed.

**80.** Such conveyance shall be in the form or to the same effect as the form given in Schedule A of this Act, and shall state the date and cause of sale, and the price, and shall have the effect of vesting in the purchaser, his heirs or assigns or other legal representatives, in fee simple or otherwise, according to the nature of the estate or interest in the property sold. And no such conveyance shall be invalid from any error or miscalculation in the amount of taxes or interest thereon in arrear, and notwithstanding any informality or effect in or preceding such sale such conveyance shall be valid and binding to all intents and purposes, if proceedings be not commenced (questioning such sale) before some Court of competent jurisdiction by some person interested in the land so sold, within one year from the day on which the order mentioned in section seventy-three of this Act, confirming the

Contents of deed and effect thereof.

Deed valid against all parties, if not questioned within a certain time.

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sale is made: Provided any taxes shall have been due on said lands at the time of the sale, and that the bona fide holder of the title when questioned as aforesaid, shall not have been guilty of, or knowingly a party to, any fraud against the provisions of this Act, or in connection with the sale, transfer, or assignment of said lands.

Owner of land sold for taxes to be personally served with notice thereof.

**81.** It shall be the duty of the Collector, for the time being, within one month after the sale of any lands for taxes, to serve upon the owner of any such lands, so sold as aforesaid, a written or printed notice signed by him, that such lands have been so sold and the consequence thereof, and such notices shall be served personally upon parties on whom service is to be effected, unless substituted service is ordered by the Judge, and it shall be the duty of the Collector, for the time being, to take all necessary proceedings to obtain the order or orders confirming such sales without unnecessary delay.

Substituted service may be ordered.

Treasurer to keep "Tax Sales Fund" account.

**82.** The Treasurer shall keep a separate account of all sums paid to him as a balance of purchase money on lands sold for arrears of taxes and not redeemed, and shall enter in a book the amount received over the taxes, and all charges from the purchaser of any lot or parcel of land sold by him, against such lot or parcel, and the date of sale and receipt of such balance, and the aggregate amounts so received shall form a distinct fund to be called "Tax Sales Fund," and the Treasurer shall, in the month of January in each year, furnish a statement to the Council giving the amount of and other particulars respecting said fund.

To whom the surplus shall be paid.

**83.** Any person claiming to have been the owner, heir, assignee or other legal representative of the owner of any parcel of land sold for taxes and conveyed as aforesaid, which shall have realized more than the amount due for taxes, and all charges, or otherwise interested in such land, shall be entitled to claim and receive the said overplus and sum held to the credit of said parcel of land in the "Tax Sales Fund," upon serving a written notice of such claim upon the Treasurer; and upon producing and leaving with said Treasurer a notice in writing describing the land sold and setting forth the particulars of the sale and the title under which said money is claimed, and shall at the same time furnish and produce such title-deeds or other evidence as may reasonably be required for proving said title or his interest in such land; and the facts set forth in said notice shall be verified by affidavit sworn or affirmed before some person duly authorized to administer oaths or take affirmations in suits or proceedings pending in the Courts of this Province so far as it may be necessary to establish the bona fide nature of the claim.

Claim to same how proved.

*Voters' List.*

Clerk to make list of voters.

**84.** The Clerk of the City shall immediately after the final revision and correction of the assessment roll in every year make a correct

alphabetical list of all persons being of the full age of twenty-one years, and appearing by the assessment roll to be entitled to vote in the city at municipal elections, prefixing to the name of each person his or her number upon the roll.

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85. The said list shall give the names of the voters in each ward or polling subdivision in the city separately, and shall be in the form, as nearly as may be, given in Schedule A to this Act. Form of voters' list.

86. If the qualification of any such person is in respect of real property, the Clerk shall, opposite the name of the person, insert in the proper column of the voters' list the number of the lot, or other proper description of the real property in respect of which such person is qualified. Real property to be named in the list.

87. Whenever it appears by the assessment roll that any person is assessed for property within the city sufficient to entitle him or her to vote, but that it lies partly within the limits of one ward and partly within another or others, the Clerk shall enter his or her name on the list of voters in each and every ward in which any part of such property is situated, with the following words added: "See Ward No. .". And such person shall be entitled to vote in any of, but not in more than one of, such wards. Provision when property partly in one ward and partly in another.

88. An assessment roll shall be understood to be finally revised and corrected when it has been so revised and corrected by the Court of Revision for the city, or by the Judge on appeal, as provided in the assessment clauses of this Act. When assessment roll to be regarded as finally revised.

89. Immediately after the Clerk has made the said alphabetical list, and within thirty days after the final revision and correction of the assessment roll, the Clerk of the city shall give immediate public notice, either by printed posters or by advertisement once a week for four weeks in not less than one newspaper published in the city, that the said list has been completed, and that the same shall be kept in his office for thirty days from the first publication of such notice, for the examination by all concerned; and any person who shall claim to be added to the said voters' list, or any elector who shall desire to have any name erased therefrom, shall prefer his or her request in writing, signed with his or her name, stating the ward to which he or she belongs, and shall deliver, or cause the same to be delivered, to the City Clerk, within the time hereinbefore specified. Notice to be published when voters' list completed.

90. The said list of voters shall be subject to revision by any Judge of the Supreme Court, sitting as a County Court Judge, or by the Judge of the County Court having jurisdiction in the City of Vancouver, at the instance of any voter or person entitled to be a voter in the city, on the ground of the names of voters being omitted from the list, or being wrongly stated therein, or of names of persons Revision of list

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being inserted on the list who are not entitled to vote, and upon such revision the assessment roll shall not be conclusive evidence in regard to any particular whether the matter on which the right to vote depends had or had not been brought before the Court of Revision; and the decision of the Judge under this Act, in regard to the right of any person to vote, shall be final as far as regards such person.

Appeal in case of persons disqualified under this Act.

**91.** A complaint or appeal may be made on the ground of any person whose name is entered on the list being one of those disqualified or incompetent to vote under the provisions of this Act, and may be in the form set forth in Schedule A of this Act.

Penalty on non-attendance of the person whose right is in question.

**92.** If any person, whose right to be a voter is the subject of enquiry, does not attend in obedience to a subpoena or order issued as hereinafter mentioned, the Judge, if he thinks fit, in the absence of satisfactory evidence as to the ground of such non-attendance of such person or his agent, or as to the right of such person to be a voter, may, on the ground of the non-attendance of such person, strike his or her name off the list of voters, or refuse to place his or her name on the list of voters, as the case may require, or impose a reasonable fine on such person, according to his discretion, or do both.

Proceedings on person complaining of errors in the list.

**93.** Any voter or person entitled to be a voter making any complaint of any error or omission of the said list shall, within thirty days after the Clerk of the city has posted up the said list in his office, give to the Clerk or leave for him at his residence or place of business, notice in writing of his or her complaint and intention to appeal to the Judge in respect thereof; and if the office of Clerk is vacant by reason of death or resignation, or from any other cause, such notice may be given in like manner to the head of the Council of the city; and in case of any complaints or appeals being made under this or either of the three preceding sections:—

Day for hearing.

(1.) The said Judge shall appoint a day for hearing the appeals or complaints, notice of which shall be given by the Clerk:

Hearing and adjournment.

(2.) The Judge shall hear the appeals or complaints and any evidence adduced upon oath at the time or place appointed, in a summary manner, and may adjourn the hearing from time to time and defer judgment therein at pleasure:

Assessment roll, voters' list, &c., to be produced to the Court.

(3.) The City Clerk shall, on the hearing of any appeal or complaint, produce before the Judge, at the time and place appointed for the hearing thereof, the assessment roll, voters' list, and all papers and documents in his possession in any way affecting the matter.

Insertion of several names in subpoena.

**94.** Any number of names may be inserted in one subpoena or Judge's order, in case of complaint.

List confirmed if no complaint within thirty days after the

**95.** In case no complaint respecting such list is received by the Clerk of the city within thirty days after he has posted up the said

list in his office, the said Clerk shall forthwith apply, either in person or by letter, to the Judge as aforesaid to certify the list so having been posted up as being the revised list of voters for the city, and the certificate of the Judge shall be according to the form given in Schedule A of this Act.

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clerk has posted up the list.

**96.** In case complaints are made as aforesaid, then immediately after the list has been finally revised and corrected by the Judge, he shall certify to such corrected list, and shall sign a statement setting forth the changes, if any, which he has made in the list. Said statement and certificate may be in the form given in Schedule A to this Act.

After final revision, Judge to make statement of alterations, and certify copy of list.

**97.** Immediately after the final revision and correction of the voters' lists, the Clerk shall cause at least one hundred copies of each list to be printed (in pamphlet form), and forthwith shall cause one of such printed copies to be posted up, and to be kept posted up in some conspicuous place in his office, and deliver or transmit by post, or by parcel or book post, two copies to each of the following persons:—

Copies of list to be printed.

Copies to be posted in clerk's office, and copies to be sent to certain persons.

- (a.) The Judge of the Court who certified said lists:
- (b.) Every member of the City Council:
- (c.) The member or members of the House of Commons for the city, or the electoral districts in which the same or any part thereof lies:
- (d.) The members of the Legislative Assembly for the city or any part thereof:
- (e.) Every candidate for whom votes were given at the last municipal election in said city, and to any other party requiring the same, on payment of twenty-five cents therefor.

#### *Miscellaneous Provisions.*

**98.** In all proceedings before the Judge under this Act, the Judge shall have, with reference to the matter herein contained, all the powers which belong to or might be exercised by him in the county or district of which he is Judge.

Power of Judge.

**99.** The Judge shall have power to appoint some proper person to attend at the sittings of the Court as a constable or bailiff, and the duties and powers of such person thereat shall be, as nearly as may be, the same as those of the bailiff of a County Court at a sitting of a County Court, and in reference thereto; and the expense of the person so appointed and attending shall be borne by the city, and shall include such allowance for loss of time and trouble as may be certified by the Judge to be reasonable; and the amount certified by the Judge shall be paid to such person by the Treasurer of the city, upon the production and deposit with him of the Judge's certificate.

Appointment of constable.

Duties.

Expenses.

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—  
Clerk to be subject  
to the summary jur-  
isdiction of the  
Judge.

**100.** The Clerk of the city shall be subject to the summary jurisdiction and control of the said Judge in respect of the performance of his duty under this Act, in respect to every act required to be performed by such Clerk touching the voters' list, in the same manner as officers of the County Court are to the Court.

Court of Revision of  
voters' lists.

**101.** The Court for the revision and correction of the voters' lists for the city shall be held in the court-house, or in such other place within the city as the Judge may deem suitable.

Remuneration to the  
Judge.

**102.** The Judge shall be paid the sum of twenty dollars for every day's actual and necessary attendance at such Court whilst engaged in the revision of said lists, together with travelling expenses; and such payment and all other charges (not otherwise hereinafter provided for) necessary to be incurred in connection with the holding and proper conduct of the business of the Court, shall be paid by the Treasurer of the city upon the certificate or voucher of the Judge as to the service performed, and in cases other than as to his own fees, as to the nature of the necessity for the service performed.

Powers of the Judge  
of the Court of Re-  
vision.

**103.** In all disputed cases coming before said Judge in connection with the revision and correction of the said lists, and in all cases where an application is dismissed as being unwarranted, or where the Judge shall consider that the ground of application was known, and that the purpose of such application might have been accomplished otherwise than through the medium of the Court, and notwithstanding anything in this Act appearing to the contrary, the said Judge may order the applicant or other person in the position of the respondent, and being a party interested in the application before Court, or who has been made a party by the Court and has failed to appear after due notice and is within jurisdiction of the Court, to pay a hearing fee of five dollars and such reasonable costs, if any, as the Judge may determine; and payment of such fees and costs, or either, may be enforced by execution in the manner herein provided for the recovery of any penalty, fine or costs incurred or ordered to be paid under the provisions of this Act as to said revision of voters' lists; but this clause shall not be held to limit the power of the Judge to deal with any application or matter coming before him in said Court in any other matter mentioned in this Act; and this clause may be read as supplementary to, or explanatory of, any other clause in this Act of a similar character, wherever it can be properly construed as so intended.

Hearing fee, costs,  
&c.

Report by Judge as  
to fraud, &c.

**104.** If the Judge who holds a Court believes, or has good reason to believe, that any person or persons has or have contravened this Act, or that frauds in respect to the assessment or voters' lists have prevailed extensively in the city, it shall be his duty to report the same to the Council, with such particulars as to names and facts as he may think proper.

**105.** The Judge shall have power to amend any notice or other proceeding, upon such terms as he may think proper.

Amendment.

**106.** If any appellant or complainant entitled to appeal, dies or abandons his appeal or complaint, or having been on the alphabetical list made and posted by the Clerk as aforesaid, is afterwards found not to be entitled to be an appellant the Judge may, if he thinks proper, allow any other person who might have been an appellant or applicant to intervene and prosecute such appeal or complaint, upon such terms as the Judge may think just.

Appellant.

**107.** In case of errors being found in the said voters' list on the said revision thereof, whether such errors are in the omission of names, the inaccurate entry of names, or the entry of names of persons not entitled to vote, if it appears to the Judge that the Assessors, or either of them, were or was culpably responsible for any of the said errors, the Judge shall order such Assessor or Assessors, either alone or jointly with any other person, to pay all costs occasioned by the same; and in case of errors for which the Clerk was to blame, the Clerk, either alone or jointly with any other person, shall be charged with costs; and in case of errors of the Court of Revision, the Corporation shall, either alone or jointly with any person, pay the costs, subject to any claim which the Corporation may justly have against the guilty parties; or the Judge may order the Assessor or Assessors or Corporation in any such case to pay costs, if any party fails to recover the same from any other party named and ordered to pay the same; and in all cases not herein provided for, the costs shall be in the discretion of the Judge.

Costs occasioned by errors may be ordered to be paid by guilty parties.

**108.** The Judge's said order for the payment of costs shall be as nearly as possible according to the form given in Schedule A of this Act.

Judge's order for costs.

**109** No costs shall be allowed on any proceeding under this Act, other or higher than would be allowed in the County Court in the scale of costs in actions therein.

County Court costs only allowed.

**110.** The only costs to which an appellant shall be liable shall be the witness fees, unless in case of bad faith on his part.

Liability of appellant for costs.

**111.** The payment of any costs ordered to be paid by the Judge, may be enforced by an execution against goods and chattels, to be issued from the County Court having jurisdiction in the City of Vancouver, upon filing therein the order of the Judge and an affidavit showing the amount at which such costs were taxed, and the non-payment thereof. The writ of execution may be according to the form given in Schedule A of this Act.

Costs, payment of, how enforced.

**112.** If any person not assessed, or not sufficiently assessed, is found entitled to vote, the Corporation shall be entitled to recover taxes from him, and to enforce payment thereof by the same means and in the same manner as if he had been assessed on the roll for the amount

Persons whose names omitted from roll and inserted on revision liable to pay taxes.

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Judge's order.

found by the Judge; and the Judge shall make an order, setting forth the names of the persons so liable, and the sum for which each person should have been assessed, and the land or other property in respect of which the liability exists; and such order shall be transmitted to the Clerk of the City, and shall have the same effect as if the said particulars had been inserted in the roll; and the said order for the assessment of persons omitted from roll may be according to the form given in Schedule A of this Act.

Failure of clerk to perform duties not to vitiate list.

**113.** The times appointed for the performance by the Clerk of the City of the duties required by him by this Act, shall be directory only to the said Clerk; and the non-performance by him of any of the said duties within the times appointed, shall not render null, void, or in-operative any of the lists in this Act mentioned.

Provision in case clerk of the city fails to perform duties.

**114.** In case the Clerk of the City fails to perform any of the duties aforesaid, any voter may forthwith apply summarily to a Judge of the Supreme Court, or the County Judge, or acting Judge of the County Court having jurisdiction in the City of Vancouver, to enforce the performance of the same. The application to a Judge against a delinquent Clerk may be according to the form given in Schedule A of this Act.

Elector may apply.

**115.** The application may also be made by any person entitled to be named as an elector on the list in respect of which the application is made.

Judge may require clerk or other person to appear and submit to examination, &c.

**116.** The Judge shall on such application, by summons given under his hand, which may be according to the form given in Schedule A of this Act, require the Clerk of the City, and any other person he sees fit, to appear before him and produce the assessment roll, and any documents relating thereto or to the list in respect of which the application is made, and to submit to such examination on oath as may be required of him or them, and the Judge shall thereupon make such orders and give such directions as he may deem necessary or proper for the purpose aforesaid.

Penalty on clerk for neglect, &c.

**117.** If the Clerk of the City omits, neglects, or refuses to complete the voters' lists, or to perform any of the duties hereinbefore required of him by the voters' lists clauses of this Act, such Clerk, for each omission, neglect, or refusal, shall incur a penalty not exceeding two hundred dollars.

Clerk, &c., wilfully falsifying lists to incur a penalty.

**118.** If the Clerk of the City, or any other person, wilfully makes any alteration, omission, or insertion, or in any way wilfully falsifies any such certified list or copy, or permits the same to be done, every such person shall incur and be liable to a penalty not exceeding two thousand dollars, or to be imprisoned in the common gaol of the district in which the city is situated for a period not exceeding six months, in the discretion of the Court.



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**119.** No person shall wilfully or improperly make, execute, accept, or become a party to any lease, deed, or other instrument, or become a party to any verbal agreement, whereby a colourable interest in any house, land, or tenement is conferred, in order to qualify any person to vote at an election; and any person wilfully or improperly violating the provisions of this section, besides being liable to any other penalty prescribed in that behalf, shall incur a penalty of one hundred dollars, and any person who induces, or attempts to induce, another to commit an offence under this section, shall incur a like penalty.

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Colourable transfer of property in order to confer vote.

**120.** The penalties mentioned in the three next preceding sections, may be recoverable, with costs of suit, by any person suing for the same in any Court of competent jurisdiction in the Province.

Recovery of penalties.

**121.** To prevent the creation of false votes where any person claims to be assessed, or claims that any other person should be assessed, as owner or occupant of any parcel of land, and the Assessor has reason to suspect that the person so claiming, or for whom the claim is made, has not a just right to be assessed, it shall be the duty of the Assessor to make reasonable enquiries before assessing such person.

Assessor to make enquiries before assessing persons claiming to be assessed.

**122.** Any Assessor who wilfully and improperly inserts any name in the assessment roll, or assesses any person at too high an amount, with intent in either case to give any person not entitled thereto an apparent right of voting at any election, or who wilfully inserts any fictitious name in the assessment roll, or who wilfully and improperly omits any name from the assessment roll, or assesses any person at too low an amount, with intent in either case to deprive any person of his right to vote, shall, upon conviction thereof before a Court of competent jurisdiction, be liable to a fine not exceeding two hundred dollars, and to imprisonment until the fine is paid, or to imprisonment in the common gaol of the county or district for a period not exceeding six months, in the discretion of the Court.

Penalty on assessor for wrongfully assessing or omitting to assess.

**123.** The said voters' lists shall in all cases be finally revised and corrected on or before the first day of November in each year.

Lists to be finally revised by 1st November.

**124.** Any Judge of the Supreme Court, or the Judge of the County Court having jurisdiction in the City of Vancouver, may frame rules and forms of procedure for the purpose of better carrying the provisions of this Act in respect to voters' lists into effect; and such rules and forms shall have the same effect and force as if they formed part of this Act.

Judge may make rules.

**125.** The words householder (H), freeholder (F), and tenant (T), appearing on the assessment roll pursuant to the provisions of the assessment clauses of this Act shall, for the purposes of said provisions relating to voters' lists, be held to also mean respectively occupant (Oc) or tenant (T), and shall be so entered in the voters' list by the Clerk of the City.

Words "Householder," &c., on roll how to be entered on list.

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Forms given in this Act may be used.

**126.** In carrying into effect the voters' list provisions of this Act, the forms given in Schedule A of this Act may be used, and the same, or forms to the like effect, shall respectively be deemed sufficient for the purposes mentioned in this Act.

*By-Laws requiring assent of Electors.*

Who may vote on by-laws requiring assent of electors.

**127.** The right of voting on by-laws requiring the assent of electors shall belong to the following persons, being males or feme soles of the full age of twenty-one years, being rated to the amount of five hundred dollars as owners of real property on the revised assessment roll on which the voters' lists of the city are based, held in their own right, or in case of males in the right of their wives.

Clerk to prepare list of voters after second reading.

(1.) After a by-law requiring the assent of the electors has passed its second reading, and before the date of the submission of the same to the electors, the City Clerk shall prepare a list of the persons who are entitled to vote on the proposed by-law in accordance with the preceding section:

If a by-law requires the assent of the electors, mode of obtaining same.

(2.) In case a by-law requires the assent of the electors of the city before the final passing thereof, the following proceedings shall be taken for ascertaining such assent, except in cases otherwise provided for:

Time and place of voting to be fixed by by-law.

(3.) The Council shall by a by-law fix the day, hour, and places for taking the votes of the electors on the by-law to be submitted to them, at the places at which the election of the members of the Council is held, or such other places as may be designated in such by-law; and shall also name Returning Officers to take the votes at such places, and such day shall not be less than three nor more than five weeks after the first publication of the proposed by-law as herein provided for:

By-law requiring assent of electors to be published.

(4.) The Council shall, at least once a week for a month before the final passing of the proposed by-law, publish a copy thereof in some newspaper or newspapers published in the city:

Notice of by-law, polling, &c.

(5.) Appended to each copy so published shall be a notice, signed by the Clerk of the Council, stating that such a copy is a true copy of the proposed by-law which will be taken into consideration by the Council after one month from the first publication in the newspaper, stating the date of the first publication, and naming the hour, day, and place, or places, fixed for taking the votes of the electors:

Poll.

(6.) At such day and hour a poll shall be taken, and all proceedings thereat, and for the purpose thereof, including a recount, shall be conducted in the same manner as nearly as may be as at an election for Mayor and Aldermen:

Form of ballot papers.

(7.) The ballot-papers that shall be cast shall be printed "for the by-law" or "against the by-law," and shall be marked by the

voter voting by a cross on the right-hand side thereof opposite the words "for the by-law" or "against the by-law," as he may desire to vote. Each Deputy Returning Officer for the various wards shall count the ballots and shall add up and verify the same, and mark the return to the City Clerk as in the case of an ordinary election for Mayor and Aldermen:

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Count of votes and return to the clerk.

- (8.) Upon receiving the returns for the several wards the City Clerk shall add up the names; and if it shall appear from such returns that the total number of votes cast for such by-law be a majority of the votes polled, the City Clerk shall forthwith declare such by-law carried, otherwise he shall declare the by-law lost.

Final count.

Clerk to declare by-law carried or lost.

**128.** The Council may, under the formalities required by this Act, pass by-laws for contracting debts by borrowing money, or otherwise, and for levying rates for payment of such debts on the rateable property of the city for any purpose within the jurisdiction of the Council; but no such by-law shall be valid which is not in accordance with the following restrictions and provisions:—

By-laws for contracting debts.

Terms of.

- (1.) The by-law shall name a day in the financial year in which the same is passed, when the by-law shall take effect; and the whole of the debts and the obligations to be issued therefor shall be made payable in fifty years at furthest from the day on which such by-law takes effect:
- (2.) The by-law shall specify the amount, in addition to all other rates, to be levied in each year for paying the debt and interest; which amount shall be sufficient to discharge the debt and interest when respectively payable:
- (3.) The by-law shall recite—(1) The amount of the debt which such new by-law is intended to create, and, in some brief and general terms, the object for which it is to be created; (2) The total amount required by this Act to be raised annually by special rate for paying the new debt and interest; (3) The amount of the whole rateable property of the city, according to the last revised assessment rolls; (4) The total amount of the existing debt of the city.

When to take effect.

To provide a yearly rate.  
Amount thereof.

Recitals in by-laws.

**129.** Every by-law for raising, upon the credit of the city, any money not required for its ordinary expenditure, and not payable within the same municipal year, shall, before the final passing thereof, receive the assent of the electors of the city in the manner provided for in this Act; and when such assent is received no such by-law shall be altered, amended, or repealed by the Council except as hereinafter provided.

By-laws for raising money not for ordinary expenses must receive assent of the electors.

**130.** All debentures, and other securities duly authorized to be executed on behalf of the Corporation, shall, unless otherwise specially authorized or provided, be sealed with the seal of the Corporation, and

Debentures, &c., how to be executed.

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signed by the Mayor, and countersigned by the Treasurer, or signed or countersigned respectively by some other person or persons authorized by by-law to sign or countersign the same; otherwise the same shall not be valid.

Transfer of debentures.

**131.** Any debenture issued under the formalities required by law by the Corporation, payable to bearer or to any person named therein or bearer, may be transferred by delivery, and such transfer shall vest the property of such debenture in the holder, and enable him to maintain an action thereupon in his own name.

Full amount recoverable though negotiated below par.

**132.** Any such debenture issued as aforesaid shall be valid and recoverable to the full amount, notwithstanding its negotiation by such Corporation at a rate less than par.

Council may make principal repayable by equal annual instalments.

**133.** In any case of passing a by-law for contracting a debt by borrowing money for any purpose, or otherwise as provided by this Act, such by-law may make the principal of such debt repayable by annual instalments, during the currency of the period (not exceeding fifty years) within which the debt is to be discharged; such instalments to be of such amounts that the aggregate amount payable, of principal and interest, in any year shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of such period; and may issue the debentures of the Corporation for the amounts and payable at the times corresponding with such instalments, together with interest annually or semi-annually, as may be set forth and provided in such by-law. Such by-law shall specify the amount to be raised in each year, during the period of the currency of the debt, which shall be sufficient to discharge the several instalments of principal and interest accruing due on said debt, as the said instalments and interest become respectively payable according to the terms of said by-law, and in cases within this section it shall not be necessary that any provision be made for the creation of a sinking fund.

What by-law shall set out.

When the rate imposed by by-law may be reduced by by-law.

**134.** In case in any particular year one or more of the following sources of revenue, namely: (1) The sum raised by the special rate imposed for the payment of a debt and collected for any particular year; and (2) the sum on hand from previous years; and (3) any sum derived for such particular year from the surplus income of any work, or for any share or interest therein applicable to the sinking fund of the debt; and (4) any sum derived from the temporary investment of the sinking fund of the city, or any part of it, and carried to the credit of the special rate and sinking fund accounts, respectively, amount to more than the annual sum required to be raised as a special rate to pay the interest and the instalment of the debt for the particular year and leave a surplus to the credit of such accounts, or either of them, then the Council may pass a by-law reducing the total amount to be

levied under the original by-law for the following year, to a sum not less than the difference between such last mentioned surplus and the annual sum which the original by-law named, and required to be raised by special rate.

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**135.** Such by-law shall not be valid unless it recites: (1) The amount required by the original by-law to be raised annually; (2) The balance of such amount for the particular year, or on hand from former years; (3) The surplus income of the work, share or interest therein received for such year; and (4) The amount derived for such year from any temporary investment of the sinking fund; nor unless the by-law names the reduced amount to be levied under the original by-law in such following year.

Recitals requisite in such by-law.

Reduced rate to be named.

**136.** In case the Council desires to make an anticipatory appropriation for the next ensuing year in lieu of the special rate for such year, in respect of any debt, the Council may do so by by-law, in the manner and subject to the provisions and restrictions following:

Anticipatory appropriations may be made.

- (1.) The Council may carry to the credit of the sinking fund account of the debt as much as may be necessary for the purposes aforesaid: (a) Of any money at the credit of the special rate account of the debt beyond the interest on such debt for the year following that in which the anticipatory appropriation is made; (b) and of any money raised for the purpose aforesaid, by additional rate or otherwise; (c) and of any money derived from any temporary investment of the sinking fund; (d) and of any surplus money derived from any corporation work, or any share or interest therein; (e) and of any unappropriated money in the treasury; such moneys, respectively, not having been otherwise appropriated:
- (2.) The by-law making the appropriations shall distinguish the several sources of the amount and the portions thereof to be respectively applied for the interest and for the sinking fund appropriation of the debts for such next ensuing year:
- (3.) In case the moneys so retained at the credit of the special rate account, and so appropriated to the sinking fund account from all or any of the sources above mentioned, are sufficient to meet the sinking fund appropriation and interest for the next ensuing year, the Council may then pass a by-law directing that the original amount for such next ensuing year be not levied.

What funds may be so appropriated.

The sources and application to be stated

When moneys retained sufficient, the yearly rate may be suspended for the ensuing year.

**137.** Such by-law shall not be valid unless it recites:—

By law must recite—

- (1.) The original amount of the debt, and in brief and general terms the object for which the debt was created:
- (2.) The amount, if any, already paid of the debt:

The original debt and object;

The amount paid

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The annual amount  
for sinking fund ;

The amount for sink-  
ing fund in hand ;

The amount required  
for interest ;

And that it is re-  
served, &c.

- (3.) The annual amount of the sinking fund appropriation required in respect of such debt :
- (4.) The total amount then on hand of the sinking fund appropriation in respect to the debt, distinguishing the amount thereof in cash in the treasury from the amount temporarily invested :
- (5.) The amount required to meet the interest of the debt for the next year after the making of such anticipatory appropriations :
- (6.) That the Council has retained at the credit of the special rate account of the debt a sum sufficient to meet the next year's interest (*naming the amount of it*) and that the Council has carried to the credit of the sinking fund account a sufficient sum to meet the sinking fund appropriation (*naming the amount of it*) for such year.

Two special accounts  
to be kept ;

(1) Of the special  
rates ;

(2) Of the sinking  
fund or instalments  
of principal.

**138.** The Council shall keep in its books two separate accounts, one for the special rate and one for the sinking fund, or for instalments of principal of every debt, to be both distinguished from all other accounts in the books by some prefix designating the purpose for which the debt was contracted, and shall keep the said accounts with any others that are necessary so as to exhibit at all times the state of every debt and the amount of money raised, obtained and appropriated for payment thereof.

When surplus may  
be applied to next  
year's interest, and  
to sinking fund.

**139.** If, after paying the interest of a debt and appropriating the necessary sum to the sinking fund of such debt, or in payment of any instalment of principal for any financial year, there is a surplus at the credit of the special rate account of such debt, such surplus shall so remain and may be applied, if necessary, towards the next year's interest ; but if such surplus exceeds the amount of next year's interest, the excess shall be carried to the credit of the sinking fund account, or in payment of the principal of such debt.

Application of mo-  
neys with consent of  
Lieutenant-Govern-  
or in Council.

**140.** The Lieutenant-Governor in Council may, upon proper cause being shown, order and direct that such part of the proceeds of the special rate levied and at the credit of the sinking fund account, or of the special rate account as aforesaid, instead of being so invested as hereinafter provided, shall from time to time, as the same shall accrue, be applied to the payment or redemption, at such value as the Council can agree upon, of any part of such debt, or of any of the debentures representing or constituting such debt, or any part of it, though not then payable, to be selected as provided in such order ; and the Council shall thereupon apply, and continue to apply, such part of the proceeds of the special rate at the credit of the sinking fund or special rate accounts, as directed by such order.

Council may apply  
other funds towards  
such debts.

**141.** The Council may appropriate to the payment of any debt the surplus income derived from any public or corporation works, or from

any share or interest therein, after paying the annual expenses thereof, or any unappropriated money in the treasury, or any money raised by an additional rate; and any money so appropriated shall be carried to the credit of the sinking fund of the debt, or in payment of any instalments accruing due.

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*Powers of Council to Pass By-Laws.*

**142.** The Council may from time to time pass, alter and repeal by-laws. Council may make by-laws.

- (1) For lighting the city, and for this purpose perform any work and placing any fixtures that are necessary on private property, making due compensation therefor as may be agreed upon, or failing agreement, to be fixed by arbitration : Lighting the City.
- (2) For laying down gas and water pipes in any street and opening streets for the purpose, and of taking up and repairing such pipes, and for using every power and privilege given to any gas or water company incorporated in the city, as if the same were specially given by this Act, subject, however, to the provisions herein contained, as to the erection of gas or water-works, and levying a rate therefor : Laying gas and water pipes.
- (3) For providing for the appointment of three Commissioners for entering into contracts for the construction of gas and water-works; for superintending the construction of the same; for managing the works when completed; and for providing for the election of said Commissioners by the electors, from time to time, and at such periods, and for such terms as the Council may appoint by the by-law authorizing the election. Construction of gas and water-works.
- (4) For constructing gas and water-works, and for levying an annual special rate to defray the yearly interest of the expenditure therefor, and to form an equal yearly sinking fund, for the payment of the principal within such time as shall not exceed fifty years, nor less than ten years : Levying rates for same.
- (5) No by-law under the last sub-section shall be passed, firstly, until estimates of the intended expenditure have been published once a week for one month, and notice of the time appointed for taking a poll of the electors on the proposed copy of the proposed by-law at length, as the same may be ultimately passed, and a notice of the day appointed for finally considering the same in Council, have been published once a week for one month in some newspaper in the city; nor, secondly, until at a poll held in the same manner and at the same places, and continued for the same time, as at elections for Aldermen, a majority of the electors voting at the poll in favour of the by-law; nor, thirdly, unless the by-law is passed within three months after holding said poll : Estimates of cost to be published.  
  
Assent of electors to by-law requisite.

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Second by-law for same purpose after 3 months.

Proceedings when gas or water company already incorporated for the city.

Observance of Sunday.

Sale of liquor to minors.

Indecent placards or pictures.

Public morals.

Disorderly houses.

Horse racing.

Places of amusement.

Vagrants and beggars.

Indecent exhibitions.

Bathing.

Cruelty to animals.

Tax on dogs.

- (a.) If the proposed by-law is rejected at such poll, no other by-law for the same purpose shall be submitted to the electors for a period of three months:
- (b.) In case there be any gas or water company incorporated for the city, the Council shall not levy any gas or water rate until such Council has by by-law fixed a price to offer for the works or stock of the company, nor until thirty days have elapsed after notice of such price has been communicated to the company, without the company having accepted the same, or having, under the provisions of this Act as to expropriation, named and given notice of an application to have Commissioners appointed to determine the price, nor until the price accepted or awarded has been paid, or has been secured to the satisfaction of the company:
- (6.) For enforcing the due observance of the Lord's day, commonly called Sunday, according to law:
- (7.) For preventing the sale or gift of intoxicating drinks to a child or apprentice, without the consent of a parent, master, or legal protector:
- (8.) For preventing the posting of indecent placards, writings, or pictures, or the writing of indecent words, or the making of indecent pictures or drawings on walls or fences in streets or public places, within the limits of the city:
- (9.) For preventing vice, drunkenness, profane swearing, obscene, blasphemous, or grossly insulting language, and other immorality and indecency, on any of the streets or in any public place within the limits of the city:
- (10.) For suppressing disorderly houses and houses of ill-fame:
- (11.) For preventing or regulating horse racing:
- (12.) For preventing or regulating and licensing exhibitions held or kept for hire or profit, bowling alleys, and other places of amusement:
- (13.) For restraining and punishing vagrants, mendicants, and persons found drunk or disorderly in any street, highway, or public place within the limits of the city:
- (14.) For preventing indecent exposure of the person, or other indecent exhibitions:
- (15.) For preventing or regulating the bathing or washing the person in any public water in or near the city:
- (16.) For preventing cruelty to animals, and for preventing the destruction of birds:
- (17.) For imposing a tax on the owners, possessors, or harbourers of dogs:



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- (18.) For impounding, killing, or disposing of by sale, dogs running at large and unlicensed, contrary to the by-laws: Impounding, &c., dogs.
- (19.) For preventing the keeping of vicious dogs or wild animals within the said city, except under certain restrictions: Vicious animals.
- (20.) For preventing the injury or destroying of trees planted or preserved for shade or ornament, and for encouraging the planting of the same: Shade trees
- (21.) For preventing the pulling down or defacing of sign-boards, and of printed or written notices lawfully affixed: Sign-boards.
- (22.) For encouraging manufactures within the limits of the city, by exempting from taxes, in whole or in part, for a period of one or more years, such manufactories as are now, or may hereafter be, carried on in said city, and which in the public interest the Council may deem advisable to encourage: Encouraging manufactures.
- (23.) For regulating the encumbering, injuring, or fouling by animals, vehicles, vessels, or other means, of any public wharf, sewer, shore, river, or water: Wharves, sewers, rivers, &c.
- (24.) For establishing, protecting and regulating public wells, reservoirs, and other conveniences for the supply of water, and for making reasonable charges for the use thereof, and for preventing the wasting and fouling of public water: Wells, reservoirs, &c.
- (25.) For preventing and abating public nuisances: Nuisances.
- (26.) For preventing or regulating the construction of privy vaults, cellars, sinks, water-closets, and privies, and the manner of draining thereof: Privies, &c.
- (27.) For preventing or regulating the erection or continuance of slaughter-houses, wash-houses, tanneries, breweries, distilleries, or other manufactures or trades which may prove to be nuisances: Slaughter-houses, tanneries, breweries, &c.
- (28.) For preventing the ringing of bells, blowing of horns or steam whistles, shouting, and other unusual noises in streets and public places: Bells, whistles, and noises.
- (29.) For preventing or regulating the firing of guns, or other fire-arms; and the firing or setting off of fire-balls, squibs, crackers, or fire-works, and for preventing charivaries, and other like disturbances of the peace: Letting off guns and fire-works.
- (30.) For empowering any person (resident or non-resident) liable to statute labour within the city, to compound for such labour, for any term not exceeding five years, at any sum not exceeding one dollar for each day's labour: Statute labour.
- (31.) For providing that a sum of money, not exceeding two dollars for each day's labour, may be paid in commutation of such statute labour. Commutation of same by money payment.

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Enforcing statute labour.	(32.) For enforcing the performance of statute labour :
Time and manner of performance of same	(33.) For regulating the manner and the division in which statute labour or commutation money shall be performed or expended :
Aid to charities.	(34.) For establishing and aiding charitable institutions within the city :
Driving over side walks.	(35.) For preventing the leading, riding, or driving of horses and cattle upon sidewalks or other places not proper therefor :
Boarding-house runners, hack drivers, &c.	(36.) For preventing persons in streets or public places from importing others to travel in or employ any vehicle, or go to any tavern, hotel, or boarding-house, or for regulating persons so employed :
Burial of the dead.	(37.) For regulating the interment of the dead :
Violation of cemeteries.	(38.) For preventing the violation of cemeteries, graves, tombs, tombstones, or vaults where the dead are interred :
Weeds.	(39.) For preventing the growth of weeds and compelling the destruction thereof :
Depositing filth, &c., on streets.	(40.) For preventing persons from throwing any dirt, filth, carcasses of animals, or rubbish on any road, lane, street, or highway in the city :
Sewerage and drainage.	(41.) For making any regulations for sewerage or drainage that may be deemed necessary for sanitary purposes :
Obstruction of streets.	(42.) For directing and requiring at any time the removal of any door steps, porches, railings, or projections into, or obstructions in any public street or public highway in the city, at the expense of the proprietor or proprietors ; and to regulate and control railway companies within the said city, and to enforce the construction and management of gates, culverts, and cattle-guards on the line of the said railways at the crossing of any street or streets in the said city, and to enforce the opening and continuation of any street or streets across the line of any railway track :
Appointment of officers.	(43.) For appointing all officers that are necessary in the affairs of the Corporation, and for regulating the remuneration, fees, charges, and duties of such officers, and securities to be given for the performance of such duties :
Lock-up houses.	(44.) For establishing, maintaining, and regulating lock-up houses for the detention and imprisonment of persons sentenced to imprisonment for not more than two months, and of persons detained for examination, or transmission to any gaol, either for trial or in the execution of any sentence :
Fines and penalties.	(45.) For inflicting reasonable fines and penalties not exceeding one hundred dollars and costs : (a.) Upon any person for the non-performance of his duties, who has been elected or appointed to any office in the Cor-

poration and who has accepted such office, and afterwards neglects the duties thereof; and A.D. 1886

(b.) For breach of any of the by-laws of the Corporation :

(46.) For collecting such penalties by distress and sale of the goods and chattels of the offender : Collecting penalties.

(47.) For inflicting reasonable punishment, by imprisonment, either in a lock-up house in the city, or in a gaol, for any period not exceeding two months, for breach of any of the by-laws of the Council, or for non-payment of the fine inflicted for any such breach, and there being no distress found out of which such fine can be levied, or imprisonment without option of fine : Punishment by imprisonment.

*Fire, etc.*

(48.) For appointing fire wardens, fire engineers, and firemen, and promoting, establishing, and regulating fire companies, hook and ladder companies, and property-saving companies : Appointment of firemen.  
Regulating fire companies.

(49.) For preventing or regulating the carrying on of manufactories or trade dangerous in causing or promoting fires : Dangerous trades.

(50.) For preventing and for removing or regulating the construction of any chimney, flue, or fire-place, stove, oven, boiler, or other apparatus or thing which may be dangerous in causing or promoting fire : Chimneys, ovens, &c.

(51.) For regulating the construction of chimneys, as to dimensions and otherwise, and for enforcing the proper cleaning of the same : Construction of chimneys.

(52.) For regulating the mode of removal and safe-keeping of ashes, and for regulating the keeping and transporting of gunpowder, coal oil, and other combustible or dangerous materials : Ashes, gun-powder, oil, &c.

(53.) For regulating and enforcing the erection of party walls. Party walls.

(54.) For causing buildings and yards to be put in other respects into a safe condition to guard against fire or other dangerous risk or accident : Yards, buildings, &c.

(55.) For authorizing appointed officers to enter at all reasonable times upon any property subject to the regulations of the Council, in order to ascertain whether such regulations are obeyed, or to enforce or carry into effect the same : Authorizing entry of premises.

(56.) For making regulations for suppressing fires, and for pulling down or demolishing adjacent houses or other erections when necessary to prevent the spreading of fire : Suppressing fires.

(57.) For regulating the conduct and enforcing the assistance of the inhabitants present at fires, and the preservation of property at fires : Conduct and assistance at fires.

(58.) For regulating the erection of buildings, and preventing the erection of wooden buildings and wooden fences, in specified Wooden buildings and fences.

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- parts of the city; and also for prohibiting the erection or placing of buildings, other than with main walls of brick, iron, or stone, the roofing of incombustible material, within specified parts of the city, and for authorizing the pulling down or removal, at the expense of the owner or owners thereof, of any building or erection which may be constructed or placed in contravention of any by-law:
- Rewards and aid to firemen, &c. (59.) For providing medals or rewards for persons who distinguish themselves at fires; and for granting pecuniary aid, or otherwise assisting the widows and orphans of persons who are killed by accident at such fires:
- Fire and light in stables, &c. (60.) For preventing or regulating the use of fire or lights in stables, cabinet-makers' shops, carpenters' shops and combustible places:
- Open scuttles in roof of buildings. (61.) To compel the owners of houses to have scuttles in the roof thereof, with approaches, or stairs, or ladders leading to the roof:
- Fire escapes. (62.) For requiring the owners of buildings to provide fire-escapes in such manner and time as may be prescribed in such by-law; and for regulating the examination of them, and the use of them at fires:
- Requirements to obtain liquor licenses. (63.) For defining the conditions and requirements to obtain hotel licenses for the retail, within the city, of spirituous, fermented, or other intoxicating liquors; shop licenses for the sale within the city of such liquors in shops or places other than hotels, inns, ale or beer houses, or places of public entertainment, and also wholesale licenses for the sale by wholesale within the city of such liquors in warehouses, stores, or shops; for imposing and enforcing a penalty or penalties, and directing the mode of collecting, and collecting the same; and in default of payment imposing a penalty, by way of fine or imprisonment, against persons for selling intoxicating liquors within the City of Vancouver without first having obtained a license therefor from the proper officer or officers whose duty it may be to issue the said license or licenses:
- Penalty for selling without license. (64.) For limiting the number of licenses for hotels and saloons to be issued in the city:
- Limiting number of licensed houses. (65.) For regulating and cancelling of licenses before the expiry of the time for which such licenses were issued:
- Cancelling licenses. (66.) For appointing inspectors, or such other officers as the Council may deem necessary for the efficient regulating of houses of entertainment, or other places for the sale of liquor:
- Inspectors of licensed houses. (67.) For determining a fee or duty upon every license for the sale, within the City of Vancouver, of spirituous, fermented, or other intoxicating liquors, to be paid to the Corporation for purposes of municipal revenue:
- Fees for liquor licenses.

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- (68.) For the efficient regulating and governing of hotels, saloons, and places for which licenses to sell liquor have been issued, and in which liquor is sold, and the proprietor or proprietors of the same, and regulating the sale of such liquors: Regulating licensed hotels and saloons.
- (68A.) For licensing and regulating lodging-houses, and the keepers of such houses, but so that no such by-law shall permit to be let or occupied as a dwelling any room unless the following requirements shall be complied with, that is to say:—(1) Unless such room contains, at all times, at least three hundred and eighty-four cubic feet of space for each person occupying the same; (2) Unless such room has a window made to open at least two feet square: Regulating and licensing lodging-houses.
- (69.) For licensing, regulating, and governing all persons who for hire or gain, directly or indirectly, keep or have in their possession or on their premises any billiard, pool, or bagatelle table, and for fixing the sum to be paid for a license so to have or keep such tables, and the time such license shall be in force: Licensing, &c., billiard tables.
- (70.) For licensing, regulating, and governing auctioneers and other persons selling, or putting up for sale, goods, wares, merchandise effects, or real estate, by public auction: Auctioneers.
- (71.) For licensing, regulating, or governing hawkers or petty chapmen, transient traders, and other persons carrying on petty trades, who have not become householders or permanent residents in the city, or who go from place to place or to other men's houses, or otherwise carrying goods, wares, or merchandise for sale: Peddlers.
- (72.) For licensing and regulating ferries between any two places in the city, and establishing the rate of ferriage to be taken thereon: Ferries.
- (73.) For regulating and licensing the owners of livery, feed and sale stables, and of horses drays, express waggons, carts, cabs, carriages, omnibuses and other vehicles used for hire; for establishing the rates of fare to be taken, and for enforcing the payment thereof: Vehicles.
- (74.) For regulating and licensing scavengers and chimney sweeps: Scavengers.
- (75.) For providing for the abrogation, annulment or forfeiture, for cause, of any liquor license whatsoever granted by the said Council, or by order or consent thereof, under the authority of any by-law of the said Council, and for declaring any such license absolutely forfeited, annulled or abrogated, or temporarily or permanently suspended, with or without repayment to the holder of such license of the fee paid therefor: Forfeiture, &c., of liquor license.
- (76.) For licensing suitable persons to keep intelligence offices for registering the names and residences of, and giving information to, or procuring servants for employers in want of domestics Intelligence offices.

A.D 1886. —	or labourers, and for registering the names and residences of, and giving information to, or procuring employment for, domestics, servants and other labourers desiring employment, and for fixing the fees to be received by the keepers of such offices :
Intelligence offices.	(77.) For the regulating of such intelligence offices :
Ditto.	(78.) For limiting the duration of, or revoking any such license :
Ditto.	(79.) For prohibiting the opening or keeping of any such intelligence office within the city without license :
Ditto	(80.) For fixing the annual fee to be paid for such license :
Common shows, theaters, &c.	(81.) For licensing, regulating or prohibiting the exhibitions of common showmen, and shows of every kind, and the exhibitions of any natural or artificial curiosities, caravans, menageries, boxing or sparring exhibitions, and theatrical representations :
Peddling on the streets.	(82.) For licensing, regulating or prohibiting the sale or peddlery of fruits, nuts, cakes, refreshments, bread, jewellery and merchandise of all kinds in, and upon, or along the streets, sidewalks, alleys, lanes and public squares of the city :
Pawnbrokers.	(83.) For licensing, regulating and governing pawnbrokers or dealers in second-hand goods, wares and merchandise in the city :
Ditto.	(84.) For fixing the annual fee to be paid for any and all such licenses, and for levying and collecting the same :
Licenses not to exceed those authorized by "Municipality Act, 1881," &c.	(84A.) The licenses authorized to be levied and collected under and by virtue of this Act shall not exceed the several amounts authorized to be collected under the "Municipalities Act, 1881," and amending Acts.

#### *Railways.*

Subscribing for shares in railway company.	(85.) For subscribing for a number of shares in the capital stock of, or for lending to or guaranteeing the payment of any sum of money borrowed by any incorporated railway or bridge company :
Guaranteeing payment of debentures.	(86.) For endorsing or guaranteeing the payment of any debentures to be issued by the company for the money by them borrowed, and for assessing and levying from time to time upon the whole rateable property of the city a sum sufficient to discharge the debt or engagement so contracted :
Issuing debentures.	(87.) For the issue for the like purpose of debentures payable at such times, and for such sums, respectively, not less than twenty dollars, and bearing, or not bearing, interest as the Council may think meet ; and for handing such debentures, by way of bonus or otherwise, to any such company or to trustees, on any conditions provided in the by-law :
Granting same as bonus.	

- (88.) For granting bonuses to any railway, bridge or water power company in aid of such railway, bridge or water power company, and for issuing debentures in the same manner as in the preceding sub-section provided for raising money to meet such bonuses: A.D. 1886.  
Granting bonuses to railway, and other companies.

- (88A.) The provisions or powers of the four preceding sub-sections shall not be exercised by the Council until a by-law shall have been first submitted to the electors, as is provided for in case of by-laws requiring the assent of the electors: Assent of electors must be had.

- (89.) In case the city takes shares in or guarantee payment of any money for, or grant a bonus to, any company in pursuance of sub-sections 85, 86, 87, 88 and 88A of this section, the Council shall be entitled to appoint the Mayor or an Alderman a director of such company, and such company shall accept such person as a director, and he shall be entitled to all the rights and privileges of the other directors of such company. Mayor or Alderman may become director.

*City Pound.*

- (90.) For the establishment of pounds, and the appointment of pound-keepers therefor: Pounds.
- (91.) For regulating and fixing the fines and fees to be levied by such pound-keepers: Fines and fees.
- (92.) For providing suitable yards and enclosures for the safe keeping of such animals as it may be the duty of the pound-keeper to impound: Yards.
- (93.) For restraining or regulating the running at large of any animals, and providing for impounding them, and for causing them to be sold in case they are not claimed within a reasonable time, or in case the damages, fines and expenses are not paid according to law. Impounding and sale of animals.

*Public Health.*

- (94.) For providing for the health of the city, and against the spreading of contagious or infectious diseases: Spread of diseases.
- (95.) For prescribing the duties of the health officers and scavengers, and for defining the limits within which each scavenger shall perform his duties. Duties of health officers.

*Markets.*

- (96.) For establishing markets and stock-yards, and for regulating the same: Markets.
- (97.) For regulating the buying and selling of all articles or animals exposed for sale on the public market in the open air: Buying and selling.
- (98.) For preventing criers and vendors of small ware from practising their calling in any of the public markets, public sheds and vacant lots in the city adjacent to the market: Peddling in markets, &c.

A.D. 1886.	(99.) For preventing the forestalling, regrating or monopoly of market grains, wood, meats, fish, fruits, roots, vegetables and provisions of all kinds :
	(100.) For preventing and regulating the purchase of such things by hucksters or runners within the city :
Weighing machine.	(101.) For establishing a public weighing scale, and for imposing a reasonable fee therefor :
Light weight, &c.	(102.) For imposing penalties for light weight, or short count, or short measurement, in anything marketed :
Bread.	(103.) For regulating the weight of bread, and preventing the use of deleterious materials in making bread, and for providing for the seizure and forfeiture of bread made contrary to the by-law :
Tainted food.	(104.) For seizing and destroying all tainted and unwholesome meat, poultry, fish, or other articles of food :
Rent of stalls, distraint for.	(105.) For selling, after six hours' notice, butcher's meat distrained for rent of market stalls :
Adulterated milk, &c.	(106.) For preventing the sale of adulterated milk, or other articles of food :
Markets and market places.	(107.) For changing the site of any market place within the city, or to abolish any market or markets now in existence, or hereafter to be in existence in the city; and to appropriate the site or sites thereof, or any part or parts thereof, for any public purpose whatsoever, and to establish new markets :
Market clerks.	(108.) For determining and regulating the powers and duties of the market clerks, and all other persons employed by the city in and about the said markets :
Rents for stalls.	(109.) For imposing, regulating and fixing the rates to be paid by any person or persons selling or retailing any article of food in or at any of the markets in the city, and for regulating the conduct of all persons buying or selling in or at any of the said markets :
Vehicles in markets.	(110.) For regulating all vehicles of any kind in which any articles shall be exposed for sale in any public market, or in any street, or public place, or square within the city :
Abattoirs.	(111.) For designating or specifying such place or places within the city for the slaughter of cattle, sheep, lambs, hogs and other animals usually used for food, and to compel every and all persons to use the same for that purpose, and for building an abattoir or abattoirs : Provided, that nothing herein contained shall be held to authorize the Council to compel any person or persons already before the passing of this Act owning and using or occupying any place or building as a slaughter-house or place for the slaughter of the said animals to cease to use or occupy the same as such or for that purpose, or to



compel such person or persons to use any other place or building for such purpose, but in case of every such building or place so owned and used or occupied before the passing of this Act, the authority of the Council shall only extend to the passing and enforcing of by-laws to ensure the proper fitting up and use of such building or place, in such a manner that it shall not be a nuisance or injurious to the health of the citizens, and to prevent the re-building of any such building or making additions thereto :

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- (112.) For obtaining such real and personal property as may be required for the use of the Corporation within the limits of the said city or outside said limits if necessary, for the purposes of establishing cemeteries and parks ; and said Council shall have the power and authority under the said Council to sell and execute deeds for the purchase and sale of burial plots in said cemeteries, and generally to exercise full powers and control over said cemeteries and parks, and other property, and for erecting, improving, and maintaining a city hall and other houses and buildings required by and being upon the land of the Corporation, and for disposing of such property when no longer required ; and for purchasing, leasing, erecting and maintaining public wharves when considered advisable :
- (113.) For the removal of any obstruction of whatsoever nature or kind in any of the public squares, streets or places within the said city, and at the cost of the city or of the parties causing the obstruction :
- (114.) For assessing the citizens residing in any particular street, lane, square or section of the city, in any sum or sums necessary to meet the expense of sweeping and watering the said street, lane, square, or section of the city : Provided that not less than two-thirds of the said citizens residing as aforesaid in said street, lane, square, or section, shall have first prayed or demanded to have the same swept or watered :
- (115.) To regulate, clean, repair, amend, alter, widen, deepen, contract, straighten, divert or discontinue the drains and sewers and all natural water-courses in the said city ; and to prevent the encumbering of the same in any manner, and to protect the same from encroachment and injury ; and also to determine the course of all water-courses passing through private property in the said city, and to regulate all matters concerning the same, whether the said water-courses be covered or not :
- (116.) For opening, making, preserving, improving, repairing, widening, altering, directing, stopping up and putting down drains, sewers, water-courses, roads, streets, squares, alleys,

Obtaining real estate for corporate purposes.

Removal of obstructions in streets.

Assessment for watering and sweeping streets.

Cleaning, &c., drains sewers and water-courses.

Making drains, streets, &c.

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lanes, or other public communications within the jurisdiction of the Council, and for conducting the drains and sewers beyond the limits of said city for fertilizing purposes; or into the waters of English Bay or Burrard Inlet, as is found practicable, and for entering upon, breaking up, taking or using any land in any way necessary or convenient for the said purpose, and repairing and maintaining all bridges:

Removal of snow and ice.

(117.) For compelling persons to remove snow, ice and dirt from the roofs of the premises owned or occupied by them, and also to remove the same from the sidewalks, street, alley or in front of such premises, and for removing the same at the expense of the owner or occupant in case of his default:

Connecting drains with public sewer.

(118.) For compelling owners of property to connect the same with any public sewer or drain constructed by the city, and for compelling or regulating the filling up, draining, clearing, altering, relaying and repairing of any grounds, yards, vacant lots, cellars, private drains sinks, cesspools and privies; and for assessing the owners or occupiers of such grounds or yards, or of the real estate on which the cellars, private drains, sinks, cesspools and privies are situate, with costs thereof if done by the Council in their default; and for removing and depositing the refuse, manure, rubbish, and other matter to such place or places as the Council may determine, which may be taken from any of the places aforesaid:

Sewerage regulations.

(119.) For making any other regulation for sewerage or drainage that may be deemed necessary for sanitary purposes, including the closing and preventing the further use of cesspools on all streets where sewers are built:

Authorizing gas and water companies to lay pipes under streets.

(120.) For authorizing any corporate gas or water company to lay down pipes or conduits for the conveyance of water or gas under streets or public squares, subject to such regulations as the Council sees fit, and for acquiring stock in or lending money to any such company:

Numbering houses and lots.

(121.) For numbering the houses and lots along the streets of the city, and affixing the numbers to the houses, buildings, or other erections along the said streets, and for charging the owners of each house or lot with the expenses incident to the numbering of the same:

Recording streets, houses, &c.

(122.) For keeping a record of the streets and numbers of the houses and lots numbered thereon respectively, and entering thereon a division of the streets with boundaries and distances for public inspection:

Surveying street and boundary lines.

(123.) For surveying, settling, and marking the boundary line of all streets, roads, and other public communications, and for giving names thereto, and affixing such names at the corners thereof

on either public or private property; and no by-law for altering the name of any street, square, road, lane, or other public communication shall have force or effect unless and until the by-law has been registered in the registry office of the county or other registration division : A.D. 1886.  
Naming streets.

(124.) For regulating the conveyance of traffic in the public streets, and the width of all tires and wheels of all vehicles used for the conveyance of articles of burden, goods, wares, or merchandise : Public traffic.

(125.) For authorizing the construction of any street railway or tramway upon any of the streets or highways within the city, and for regulating and governing the same, and for fixing the rates to be charged thereon : Street railways.

(126.) For preventing immoderate and reckless driving in highways or streets, for preventing the leading, riding, or driving of horses or cattle upon sidewalks or other places not proper therefor, and for preventing horses or mules in harness, during the winter season, being driven without bells, and for preventing horses or other animals being left at large or standing on any of the streets of the city without being sufficiently secured to prevent them running away : Fast driving.  
Sleigh bells.

(127.) For regulating public bridges and driving and riding thereon. Driving over bridges.

None of the provisions of this section, or of any by-law passed thereunder, shall have the effect of repealing or superseding the provisions of any general Act of this Province, or of any Order in Council passed in virtue thereof not hereby specially repealed. Nothing herein to  
repeal any other Act  
by implication.

**143.** No by-law shall be passed for the expenditure of money unless the Treasurer shall certify that the money to be expended is in the treasury to the credit of the fund from which it is to be drawn. Money must be in  
Treasury before by-  
law passed for ex-  
penditure.

#### *Quashing By-Laws.*

**144** In case a rate-payer or any person interested in a by-law, order, or resolution of the Council applies to any Judge of the Supreme Court, or a Judge of the County Court having jurisdiction in the said City of Vancouver, and produces a copy of the by-law, order, or resolution to said Judge, certified under the hand of the Clerk (who shall furnish the same on two days' application, and on payment of a fee of one dollar), and under the corporate seal, and shows by affidavit that the same was received from the Clerk, and that the applicant is a rate-payer and interested as aforesaid, the Judge, after at least ten days' service on the Corporation of a rule to show cause in this behalf, may quash the by-law, order, or resolution, in whole or in part, for illegality, and, according to the result of the application, award costs for or against the Corporation. Quashing by-laws.

<p>A.D. 1886.</p> <p>Time within which application must be made.</p>	<p><b>145.</b> No application to quash any such by-law, order, or resolution, in whole or in part, shall be entertained by any Judge unless such application be made to such Judge within three months from the passing of any by-law, order, or resolution, or from the time the same shall be put in force.</p>
<p>Quashing by-laws obtained by bribery, &amp;c.</p>	<p><b>146.</b> Any by-law, the passing of which has been carried through or by means of any violation of the provisions of section 22 of this Act, shall be liable to be quashed upon any application to be made in conformity with the provisions hereinbefore contained.</p>
<p>Procedure in such case.</p>	<p><b>147.</b> Before determining any application for the quashing of a by-law upon the ground that any of the provisions of section 22 of this Act have been contravened in procuring the passing of the same, if it be made to appear to a Judge of the Supreme Court, or the Judge of the County Court having jurisdiction in said city, that probable grounds exist for a motion to quash such by-law, the Judge may make an order for an enquiry to be held, upon such notice to the parties affected as the Judge may direct, concerning the said grounds before him, and require that upon such enquiry all witnesses, both against and in support of such by-law, be orally examined and cross-examined upon oath before the said Judge.</p>
<p>Judgment.</p>	<p><b>148.</b> The said Judge shall thereupon, if the grounds therefor appear to be satisfactorily established, make an order for quashing the said by-law, and he may order the costs attending said proceedings to be paid by the parties, or any of them, who have supported the said by-law; and if it appears that the application to quash said by-law ought to be dismissed, the said Judge may so order, and, in his discretion, award costs to be paid by the person or persons applying to quash said by-law. After an order has been made by the said Judge directing an enquiry, and after a copy of such order has been left with the Clerk of the City, all future proceedings upon or under the by-law shall be stayed until after the disposal of the application in respect of which the enquiry is directed; but if the matter is not prosecuted to the satisfaction of the Judge, he may remove the stay of proceedings.</p>
<p>Costs.</p>	
<p>Stay of proceedings on the by-law.</p>	
<p>Appeal.</p>	<p><b>149.</b> Any decision or order of a Judge upon any such application shall be subject to appeal to the Divisional Court of the Supreme Court of British Columbia.</p>

*Meetings of and Proceedings at Council.*

<p>First meeting of Council.</p>	<p><b>150.</b> The members of the Council shall hold their first meeting at noon on the first Monday of the month of January in each year, or in case such Monday shall be a statutory holiday, then such meeting shall be held on the next day thereafter at noon.</p>
<p>Declarations of office.</p>	<p>(1.) The Mayor, and members of the Council, and the subordinate officers of the city, may make declarations of office and quali-</p>

- fication before any Justice of the Peace having jurisdiction in the City of Vancouver, or before the Clerk of the Council. A.D. 1886.
- (2.) The Council may adjourn its meetings from time to time: Adjournment.
  - (3.) A majority of the Council, exclusive of the Mayor, shall constitute a quorum: Quorum.
  - (4.) The subsequent meetings of the Council after the first shall be held at such place and from time to time as the Council may by resolution on adjourning to be entered on its minutes, or by by-law appoint: Subsequent meetings, time and place of.
  - (5.) In case there is no by-law of the Council fixing the place of meeting of the Council, any special meeting may be held at the place where the last meeting of the Council was held, and a special meeting of the Council may be open or closed as in the opinion of the Council expressed by resolution in writing the public interest require: Special meeting may be either open or closed.
  - (6.) The Council shall hold its ordinary meetings openly, and no person shall be excluded except for improper conduct: Ordinary meetings to be open.
  - (7.) The Mayor shall preside at meetings of the Council, and may at any time summon a special meeting thereof, and it shall be his duty to summon a special meeting whenever requested in writing by a majority of the Council: The Mayor to preside in Council. Special meetings.
  - (8.) In case of the death or absence of the Mayor, the Council may, from among themselves, appoint a presiding officer who during such absence, shall have all the powers of the Mayor, and preside at all meetings of the Council and at the Police Court when necessary: Absence of Mayor provided for.
  - (9.) If the person who ought to preside at any meeting of the Council does not attend within thirty minutes after the hour appointed, the members present may appoint a chairman from amongst themselves, and such chairman, while presiding, shall have the same authority at the meeting as the absent person would have if present: Casual absence provided for.
  - (10.) In case the Mayor or other presiding officer neglects or refuses to call a special meeting of the Council, when requested by a majority of the Council in writing so to do, it shall be the duty of the City Clerk, on the receipt by him of a requisition in writing, signed by a majority of the members of the said Council, directing him to do so, to summon the said Council in the ordinary manner to meet at the time, place, and on the day stated in said requisition; and said meeting shall be to all intents and purposes a meeting of said Council: Meetings how called when Mayor refuses to call same.
  - (11.) The Mayor, or presiding officer, or chairman, shall have a casting vote only: Casting vote.

A.D. 1886.

Resignation.

(12.) Any member of the Council may resign his seat in the Council, and the vacancy shall be supplied as in the case of a natural death :

Two-third vote necessary to rescind previous action of the Council.

(13.) No previous action of the Council on any matter shall be rescinded unless by a two-third vote of the members of the Council then present, and no decision or ruling of the Mayor or presiding officer, while in the chair, shall be overruled except by a vote of two-thirds of the members of the Council present :

Contracts with members of the Council null and void.

(14.) No member of the Council shall be, directly or indirectly, interested in any contract with the city or any department thereof, or in any account or claim against the city, and any such contract shall be absolutely null and void : Provided always, that this section shall not apply to any contract or counter-claim made by an incorporated company or held by it against the city :

No member to hold any municipal office.

(15.) No member of the Council shall, during the term for which he is elected, be eligible or appointed to any office under the city :

Authority of the chair.

(16.) Every member of the Council shall obey the authority of the chair and respect the same, otherwise the member or members so offending may be removed by order of the chairman :

On divisions names may be called for.

(17.) Any two members of the Council may call for the " yeas " and " nays " on any and all questions submitted.

*Remuneration of Mayor.*

Remuneration of Mayor.

151. The Council may by by-law fix a sum not exceeding two thousand dollars to be paid to the Mayor annually.

*Treasurer.*

Treasurer to be appointed.

152. The Council shall appoint a Treasurer, who shall devote his whole time and attention to the duties of his office, except as hereinafter provided :

Duty of Treasurer to receive and disburse all moneys.

(1.) It shall be the duty of the Treasurer to receive all moneys paid into the city treasury from whatever source, and to pay out the same only when ordered by the City Council, on warrant signed by the Mayor and City Clerk :

To keep an account of all moneys paid out and received ;

(2.) The Treasurer shall keep a complete and accurate account of all moneys by him received, showing the amount thereof, the time when, and from whom and on what account received, and also of all disbursements by him made, showing the amount thereof, the time when, to whom and on what account paid. He shall so arrange and keep his books that the amount received and paid on account of separate and distinct funds, or special appropriations, shall be exhibited in separate and distinct accounts :

- (3.) The Treasurer shall daily (Sunday excepted) deposit, or cause to be deposited, all moneys belonging to the city in some bank to be designated by the Council, and until the establishment of a bank in said city, then in such way as the Council shall, by resolution entered on the minutes, or by by-law, direct: A D. 1886.  
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To deposit all moneys in bank daily.
- (4.) The books, accounts, and vouchers of the Treasurer, and all moneys remaining in the city treasury, shall at all times be subject to the inspection and examination of the auditors, the finance committee, and any member of the Council: Books and accounts to be open to inspection.
- (5.) The Treasurer shall during the week succeeding the 31st day of December in each year, make a full statement to the finance committee of the amount of all his accounts for the year ending the 31st day of December, and shall through said committee report to the Council an abstract of all his receipts and disbursements to and from each fund of the city: Financial statement at close of the year.
- (6.) The Treasurer on going out of office shall deliver to his successor all public moneys, books, accounts, papers and documents in his possession; and in case of his death, the finance committee shall take possession of and keep the same until a successor is appointed: On leaving office to hand over all books, papers, &c.
- (7.) The Treasurer shall report to the first regular meeting of the Council in each month, the amount of money at the credit of the city, specifying the fund to which it belongs: Report to the first regular meeting.
- (8.) On presentation of certificates of indebtedness issued by the City Clerk to the said Treasurer, and countersigned or certified by the Mayor, or acting Mayor, the Treasurer shall pay the same from any unexpended balance to the credit of the fund properly chargeable therewith; but if said Treasurer has not sufficient funds to pay in full all such certificates, he shall endorse on the back thereof the amount paid, countersign said certificates, and re-deliver the same to the person presenting the same; such certificates shall bear interest from the date of the approval, and shall be redeemed in the order in which they have been issued by said Clerk: Provided that if any of such certificates are not presented for payment as often as once in sixty days, said interest shall terminate at the end of sixty days from the last presentation. All payments made on account of pay rolls shall be made by the Treasurer after the same have been audited by the City Clerk and placed in his hands therefor: Disbursement of municipal funds.
- (9.) The Treasurer shall take an oath of office and give bonds to the satisfaction of the Council in the sum of fifteen thousand dollars, or such other sum as the Council may by resolution entered on the minutes or by by-law appoint, conditioned for the faithful performance of his duties, and shall further perform such other duties as the Council may require: Treasurer's oath of office and security.

A.D. 1886

Estimates of expenditure for the current year.

Statement of all contracts made.

Liabilities.

(10.) The Treasurer shall, on or before the second Tuesday in May in each year, submit to the Council a report of the estimates necessary as near as may be to defray the expense of the city government during the current fiscal year. He shall, in such report, class the different objects of the said city expenditures, giving as nearly as may be the amount required. He shall make a statement of all contracts made or directed by the Council, and not performed or completed, and upon which any money remains unpaid, with the amount so unpaid on each, and for this purpose he shall require the city engineer and other officers and heads of departments to furnish such information as he needs to enable him to fulfil the duties imposed upon him by this section; he shall also in such report show the aggregate income of the preceding fiscal year from all sources, the amount of all liabilities outstanding, and of all bonds, interest, and other kinds of city debts, payable during the year and when due, so that the Council may fully understand the money exigencies and demands of the city for the ensuing year.

*Officers of the Corporation.*

Appointment of officers.

**153.** The Council shall appoint such officers to fill or occupy positions within the gift of the Council, as may from time to time become vacant, or as it may deem necessary and expedient to carry on the good government of the city and the provisions of this Act.

Office to be held during good behaviour, and subject to three months' notice.

**154.** Any person holding any office to which he has been properly appointed by the Council shall hold the same during good behaviour; and notwithstanding any contract or agreement to the contrary, the Council or the employer may terminate any engagement by giving to the other three months' notice in writing.

All appointments to be confirmed by by-law.

**155.** All appointments made by the Council shall be confirmed by by-law as soon thereafter as practicable, except in this Act otherwise provided, and in such by-law it shall be distinctly stated that the person appointed shall only hold office during good behaviour, and shall be subject to the provision as to the termination of engagement mentioned in the preceding section, and the amount of salary to be received and the times when payable.

Duties to be defined by by-law.

**156.** All officers in the employ of the Council shall do, execute and perform such services as the Council may from time to time by by-law define; provided, however, that no by-law shall alter any of the duties imposed by this Act.

Office hours.

**157.** All city offices shall be kept open from 10 o'clock A. M. to 5 o'clock P. M., from 1st April to 1st October, and from 10 o'clock A. M. to 4 o'clock P. M. from 1st October to 1st April, except on Saturdays, when the hours shall be from 9 o'clock A. M. to 1 o'clock P. M.



**158.** All officers other than the Treasurer shall give satisfactory bonds for the due and proper performance of their duties, if required by the Council, before entering on their duties, and shall subscribe a proper oath of office. A.D. 1886.  
Security to be given by officers.

**159.** All moneys belonging to the city received by an officer or agent thereof, either from collections, loans, fees, fines and penalties, or otherwise, shall be deposited in the city treasury once a day, and in case the provisions of this section are not complied with, it shall be the Treasurer's duty to report any delinquencies to the Mayor and Clerk. The Treasurer shall make duplicate receipts in all cases, one from the party paying, and one for the clerk, which shall set out the amounts, and on what account paid, and to what account credited. All payments on account of pay-rolls shall be made by the Treasurer after the same have been audited by the City Clerk, and placed in his hands therefor. All payments of salaries or wages shall be paid by the Treasurer, who shall pay each person, or his legal representative, and take a proper receipt therefor. All moneys received by city officials to be paid each day to the Treasurer.  
  
Receipts for moneys received or paid.

*Appropriations.*

**160.** No appropriation shall be made from any revenue fund in excess of the amount standing to the credit of such fund; nor shall it be made for purposes to which the money therein is not applicable by law. No appropriation beyond cash in hand.

**161.** No money shall be paid out of the Treasury except on the warrant of the City Clerk, countersigned by the Mayor, or acting Mayor, and no warrants shall be issued on any appropriation unless there is an unexpended balance to the credit thereof sufficient to cover such warrant, and money in the Treasury to pay it. Warrants for payment of city funds.

**162.** All unadjusted accounts before they are audited must be certified by the officer having knowledge of the facts, and audited accounts shall be registered in the Clerk's office, and filed and preserved as vouchers in such office. Unadjusted and audited accounts.

*Actions and judgments against the City.*

**163.** In the event of a final judgment, or judgments, obtained against the Council in any Court of Law having jurisdiction in this Province, in respect of any debt due by said Council to any person or persons, company or corporate body, residing or being in the said Province or elsewhere, and the said Council being unable, or from any cause unwilling, or refusing to pay the same, the Sheriff of the district in which said city is situated shall issue a warrant under his hand and seal, directed to the Assessor or Assessors of the city for the time being, whose duty it shall then be, with all due diligence, to proceed and make a special assessment of all real and personal property within the limits of said City of Vancouver liable to taxation, in the same manner in which the annual assessment is made, and to return the assessment rolls to the said Sheriff, who shall cause a Collector's roll to be made out from said assessment roll, and shall levy an equal special rate on all Enforcing judgments against the city.  
  
Special assessment to be made and rate levied.

A.D. 1886.

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Collector to collect same and make return thereof to the Sheriff.

property so assessed, such rate to be sufficient when collected (and allowing a reasonable allowance for uncollectable taxes) to pay the said judgment or judgments, together with legal costs and expenses; and the said Sheriff shall place the said rolls in the hands of the Collector for the city for the time being, whose duty it shall be to proceed with all due diligence to collect the said special rate in the same manner as herein provided for the collection of taxes levied by the said Council, and to make a return thereof to the said Sheriff in the same manner as herein provided for the return to the Treasurer of the ordinary taxes levied by said Council, and the Sheriff shall forthwith pay the amount of the said judgment or judgments out of such special rate so levied and collected, and shall pay the said Assessor or Assessors and Collector for their services, as herein provided, a reasonable sum, based upon the actual time occupied in making such assessment and collection:

Sheriff to pay over-plus, if any, to Treasurer.

(1.) Any amount remaining in the possession of said Sheriff of the said special rate (levied and collected as heretofore provided) after payment of the said judgment or judgments, and all legal costs connected therewith, shall be forthwith paid by him to the Treasurer of the city, for the general purposes of the said city, and he shall also make a return of the said Assessor's and Collector's rolls, an account, in detail, of all expenses and disbursements and costs, and all proceedings connected therewith, to the City Clerk, who shall lay the same before the Council at the next meeting thereafter:

Sheriff's costs, &c., may be taxed.

(2.) The said Council shall, if it see fit to do so, submit the account of the said Sheriff of the expenses, disbursements and costs arising out of, or connected with, the said special assessment, to one of the Judges of the Supreme Court, or the Judge of the County Court having jurisdiction in said city, who shall, on notice to said Sheriff, tax the same, and allow such items as to him shall seem just and right: Provided that no execution shall issue in any suit against the city until the expiration of twenty days after the entry of final judgment therein.

No execution until after 20 days.

*Printing, Stationery, and Supplies.*

Tenders for printing to be called for annually.

**164.** It shall be the duty of the City Clerk, on or before the first day of January in each and every year, to advertise for tenders for all printing and blank work of any kind and description; and such tenders when received shall be opened by the City Clerk, subject to such restrictions as the Council shall determine, who shall report the same to the Council, designating the lowest responsible bidder or bidders; and the Council may enter into contract with the said lowest bidder, or bidders, as the Council may direct; such contract or contracts being subject to the approval of the Council.

Requisitions for and purchase of stationery supplies.

**165.** The City Clerk shall order and purchase all supplies, so far as the same relate to paper, envelopes, stationery, sundries, and miscel-

laneous supplies, and he shall issue the same upon the written requisition of the several boards and heads of the city government. He shall keep a record of all such purchases and requisitions in a book provided for that purpose, and shall make therefrom a semi-annual report, in detail, to the Council. A transcript of all bills for printing, stationery, and blank work of every description used in the several departments, shall be filed with the City Clerk, who shall enter the same upon the record and include the same in his report as herein provided.

A.D. 1886.

**166.** No officer or head of any department of the City of Vancouver shall order printing done, or supplies of any kind provided in this Act; and no claim for such printing or supplies shall be paid unless it is incurred according to the provisions of this Act.

City Clerk to order all supplies, &c.

**167.** No officer, department, or head of any department of the city, shall be permitted to order any annual reports or statements printed at the expense of the city, except by order of the City Council.

Annual reports printed by order of Council only.

**168.** No bills for printing and supplies, as are contemplated by this Act, shall be allowed unless they are contracted for under the provisions of this Act.

Bills for printing and supplies otherwise ordered not to be paid.

**169** All bills contracted for under the provisions of this Act, before they are paid, shall have the endorsement of the City Clerk.

All bills to be certified by Clerk.

*Investment of Sinking Fund.*

**170.** The sinking fund, to redeem the outstanding debentures of the city shall, in each and every year, when received by the Treasurer, be deposited by him, under the direction of the Council, to the credit of a special account, to be called "The Sinking Fund Account of the City of Vancouver." and the same shall be invested by three trustees, two of whom shall be appointed by the Supreme Court, or any Judge thereof, on application of the City Solicitor on behalf of the City, and the third by the Council from one of their number, in bonds or mortgage security, or in such other good, safe, and valuable securities as the said trustees may think best; and the said trustees, after their appointment as aforesaid, shall have the power of requiring the said Treasurer to pay from out of the said funds so deposited to the special account aforesaid, such sum or sums of money as the said trustees shall from time to time require for investment; and any and all sums of money coming into the hands of said Treasurer from the present temporary investment of the sinking fund, shall be applied in the manner and to and for the purposes above mentioned; and the said trustees shall, whenever required by the Council, give a detailed statement in writing of the said fund, and the manner in which the same is invested, and in no case shall the funds of the sinking fund account be withdrawn without the consent of said trustees. The trustees appointed under this section shall hold office at the pleasure of the Council, or until their successors are appointed.

Investment of sinking fund.

A.D. 1886.

*Police Commissioners.*

Board of Commissioners of Police, of whom composed.

**171.** The Council shall appoint a Board of Commissioners of Police for the city, and such Board shall consist of the Mayor, the Police Magistrate of the City, and the Clerk of the City; and in case the office of Police Magistrate be vacant, the Council of the City shall appoint a person resident therein to be a member of the Board during such vacancy; and the said Commissioners shall have the sole charge and control of the police department of the city, the persons therein employed, and generally on all matters connected therewith; and for that purpose, and for all other purposes connected with the good government of the police force of the city, to pass by-laws relating thereto.

To make by-laws.

Pay list to be made out monthly and sent to City Clerk.

**172.** The Board shall cause a pay list of all men employed to be made out monthly, or oftener if required, and the said list, when certified to by the said Board, or a majority of them, shall be taken or forwarded to the City Clerk, who shall, upon being satisfied as to the correctness of the same, instruct the Treasurer to pay the same under his signature.

Estimates to be submitted to the Council before any expenditure incurred.

**173.** The Board shall, before incurring any expenditure of money in connection with the police department, other than the employment of men, submit and furnish to the Council an estimate of the sum or sums required, and the purpose or purposes to which the same is intended to be devoted, and the Council shall thereupon provide the same in the hands of the Treasurer and notify the City Clerk; and the Board thereafter may draw on account of and apply the same, or any part thereof, for the purposes mentioned in the estimates.

Meetings to be held in Police Station.

**174.** The Board shall hold their meetings in the police station building in the city, when and as often as they shall see fit, and shall have control of the said building.

Wages and salaries to be fixed by the Board.

**175.** The said Board shall from time to time fix the wages or salaries of the chief and other constables or men employed.

Majority to constitute a quorum.

**176.** A majority of the Board shall constitute a quorum, and an act of the majority shall be considered as the act of the Board.

How such by-laws authenticated and proved.

**177.** All by-laws of such Board of Commissioners of Police shall be sufficiently authenticated by being signed by the Chairman of the Board, who shall pass the same; and a copy of any such by-law, written or printed, and certified to be a true copy by any member of such Board, shall be deemed authentic, and be received as prima facie evidence in any Court of Justice without proof of such signature, unless it is specially pleaded or alleged that the signature to any such original by-law has been forged.

May be enforced by penalties, &c.

**178.** In all cases where the Board of Commissioners of Police are authorized to make by-laws, either under this or any other Act or law,

they shall have power in and by such by-laws to attach penalties for an infraction thereof, to be recovered and enforced by summary proceedings before the Police Magistrate of the City, for which the same may be passed, or in his absence before any Justice of the Peace having jurisdiction therein, in the manner or to the extent that by-laws of the City Council may be enforced under the provisions or authority of this Act.

A.D. 1886.  
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How recovered.

**179.** The police force shall consist of a Chief Constable and as many constables and other officers and assistants as the board from time to time deem necessary.

Police force.

**180.** The members of such police force shall be appointed by and hold their offices at the pleasure of the board, and shall take and subscribe the following oath:—

Appointment of members thereof.

"I, A. B., do swear that I will well and truly serve Our Sovereign Lady the Queen, in the office of Police Constable for the City of Vancouver, without fear, favour, or affection, malice or ill-will; that I will, to the best of my power and ability, cause the peace to be kept and preserved, and will prevent all offences against the person and properties of Her Majesty's subjects and others, and that I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully and according to law. So help me God."

Oath of office.

**181.** The Board shall from time to time make such regulations as they shall deem expedient for the government of the force and for preventing neglect or abuse, and for rendering the force efficient in the discharge of all its duties.

Board to make police regulations.

**182.** The constables shall obey all lawful directions, and be subject to the government of the Chief of Police, and shall be charged with the special duties of preserving the peace, preventing robberies and other felonies and misdemeanors and apprehending offenders, and shall have generally all the powers and privileges, and be liable to all the duties and responsibilities which belong by law to constables duly appointed.

Constables to be subject to the Chief of Police.  
Duties of constables.

**183.** The board shall be established immediately after the passing of this Act.

Board to be established immediately.

**184.** In case any person complains to the Chief of Police or any officer of the police force of a breach of the peace having been committed, and in case such officer has reason to believe that a breach of the peace has been committed, though not in his presence, and that there is good reason to apprehend that the arrest of the person charged with committing the same is necessary to prevent his escape, or to prevent a renewal of the breach of the peace, or to prevent immediate violence to person or property, then if such person complaining gives satisfactory security to the officer that he will without

Arrests by constables for alleged breaches of the peace not committed in their presence.

A.D. 1886.

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delay appear and prosecute the charge before the Police Magistrate, or other Magistrate, such officer may without warrant arrest the person charged, in order to his being conveyed as soon as conveniently may be before the Police Magistrate, or other Magistrate, to be dealt with according to law; and it shall be lawful for any officer while on duty to apprehend all loose, idle, and disorderly persons whom he shall find disturbing the public peace, or whom he may have just cause to suspect of evil designs, and all persons whom he shall find lying in any field, highway, yard, railway car, or other place, and not giving a satisfactory account of themselves, and to deliver such persons to the officer in charge of the nearest police station, in order that such persons may be secured until brought before the Police Court of the city to be dealt with according to law, or may give bail for his appearance before the said Police Court, if the Chief of Police, upon being made cognizant of the facts of the case, shall think it a fit case for bail.

Assaults upon officers in the execution of their duty.

If any person shall assault or resist any officer or constable of the police force of the city in the execution of his duty, or shall aid or incite any person so to assault or resist, every such offender being convicted thereof before the Police Magistrate, or in his absence the Mayor of the City shall for every such offence forfeit and pay the sum of twenty dollars, besides the costs of the Court, and be liable to such imprisonment, not exceeding thirty days, as the said Police Magistrate or Mayor may adjudge.

Board to issue all licenses.

**184A.** The Board of Police Commissioners for the city shall have the power to issue all licenses under the provisions of this Act, subject to the rules and regulations prescribed by the by-laws of the city.

#### *Police Court.*

Police Court.

**185.** The Council shall establish in the said city a Police Court, and the Police Magistrate, or in his absence, the Mayor shall attend at such Police Court daily, or at such times, and for such periods as may be necessary for the disposal of the business brought before him as a Justice of the Peace, but except in cases of urgent necessity no attendance shall be required on a Sunday or legal holiday.

Appointment and salary of Police Magistrate.

**186.** It shall be legal for the Council to appoint from time to time, at such salary as the Council may fix and pay, a Police Magistrate for the City of Vancouver, and the said Council shall have power to revoke any such appointment at pleasure.

Clerk of Police Court and his duties.

**187.** The Board of Commissioners shall appoint a Police Court Clerk, who may be the Clerk of the City, and shall be called the "Police Court Clerk," and perform the same duties as Clerks of Justices of the Peace, and he may be instructed by the board.

**188.** The Mayor shall be ex officio Justice of the Peace in and for the city during his term of office; the Mayor and Police Magistrate shall have jurisdiction to try and determine all prosecutions for offences committed against the by-laws of the city, for refusing to accept office therein or to make the declaration of qualification of office respectively, or in addition thereto the same rights and jurisdiction as other Justices of the Peace.

A.D. 1886.

Mayor to be ex officio Justice of the Peace. Jurisdiction over certain offences.

**189.** The Police Magistrate shall, in addition thereto, have and exercise all the same lawful powers and authorities as have hitherto been had and exercised by any Stipendiary Magistrate of the Province.

Powers of Police Magistrate.

**190.** When by any law of this Province any offence is required to be heard and determined by two Justices of the Peace, the same may be heard and determined before the Police Magistrate alone, and the said Police Magistrate shall have all the powers possessed by two or more Justices of the Peace.

Police Magistrate to have powers of two Justices of the Peace

**191.** The Mayor or Police Magistrate before whom a prosecution is had for any offence, may convict the offender on the oath or affirmation of any credible witness, and shall award the penalty or punishment imposed by law with the costs of prosecution; and may by warrant under the hand and seal of the Justice, or other authority, or in case two or more Justices act together therein, then under the hand and seal of said Justices, cause any pecuniary penalty and costs, or costs only if not forthwith paid, to be levied by distress and sale of the goods and chattels of the offender.

Offender may be convicted on evidence of one credible witness.

Distress for penalty.

**192.** In case of their being no distress found out of which the penalty can be levied, the Justice may commit the offender to the district gaol, house of correction, or nearest lock-up house, for the time specified in the by-law, and with or without hard labour.

Commitment if no distress found.

**193.** All pecuniary penalties levied under this Act shall go to the Corporation of the City.

All fines to go to the city.

**194.** The Mayor, with any one Justice of the Peace or Police Magistrate alone, upon complaint made on oath to them or any of them, of riotous or disorderly conduct in any hotel, inn or tavern, ale or beer house situate in the city, may summon the keeper of an hotel, inn, tavern, ale or beer house, to answer the complaint, and may investigate the same or hear the same summarily, and either dismiss the complaint or convict the keeper of having a riotous and disorderly house, and annul his license or suspend the same for not more than one hundred days, with or without costs, as in their discretion may seem just.

Keeper of licensed house may be summoned for disorderly conduct therein.

Cancelling, &c., license.

**195.** The gaoler of the district shall be bound, and he is hereby authorized and required, to receive and safely keep until duly dis-

Custody of persons committed by Mayor or Police Magistrate

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charged, all persons committed to his charge by the Mayor, Police Magistrate, or any Justice of the Peace having jurisdiction in the said city, and the city shall pay to the Province, or other duly constituted authority having jurisdiction, such compensation therefor, and for the care and maintenance of persons, as may be mutually agreed on, or be fixed by the Lieutenant-Governor in Council in case of disagreement.

Powers of Justices of the Peace for the city not to be affected.

**196.** Nothing herein contained shall limit the power of the Lieutenant-Governor to appoint, under the Seal of the Province, any number of Justices of the Peace for the city, or shall interfere with the jurisdiction of Justices of the Peace for the county or district in which the city is situated, except only as far as respects offences against the by-laws of the city and penalties for refusing to accept offices or to make the declarations of office in the city, as to which jurisdiction shall be exercised exclusively by the Mayor or Police Magistrate.

All fines to go to the city.

**197.** All fines and penalties imposed, levied and collected by the Mayor or by the Police Magistrate for the city shall be paid into the city exchequer.

City to pay salary of Police Magistrate.

**198.** The Police Magistrate of the city shall be paid a salary by the City of Vancouver.

### *Expropriations.*

Power to open, extend and widen streets, &c., and construct buildings and wharves.

**199.** The Council of the City of Vancouver shall have full power and authority to order by by-law the opening, extending or widening of streets, lanes, public places, squares and highways, or the construction of a public wharf or wharves, and such public buildings, drains or water-courses or sewers, and to order at the same time that such improvements should be made out of the city funds, or that the cost thereof shall be assessed in whole or in part upon the pieces or parcels of land belonging to parties interested in, or benefitted by said improvements, and to purchase, acquire, take, and enter into any land, ground or real property whatsoever within the limits of the said city, either by private agreement, amicable arrangement between the Council of the said city and corporation or other persons interested, or by complying with all the formalities hereinafter prescribed for opening streets, squares, markets or other public places, or for continuing, enlarging or improving the same, or a portion of the same, or as site for any public wharf or wharves, or public buildings to be erected by the said Council.

Trustees and others acting in a representative capacity may sell and convey to the city land selected for any of the purposes aforesaid.

- (1.) All corporations or bodies, and all persons, guardians, executors, administrators, or trustees who are or shall be seized or possessed of or interested in any piece or pieces, lot or lots, of ground or real property within the said city, selected by the said Council for any of the purposes aforesaid, may not only for themselves, but for and on behalf of the person whom they



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represent, or for whom, or in trust for whom, they are or shall be seized, or possessed, or interested, whether minors, lunatic, idiot, femme covert, or other persons, contract for, sell and convey such piece or pieces, lot or lots of ground or real property to the said Corporation; and such contracts, sales, and conveyances shall be valid and effectual in law for conveying estate or interest therein, to all intents and purposes whatsoever, any law or custom to the contrary notwithstanding, and the Corporation of the City of Vancouver shall not in any case be responsible for the application of the purchase money; and all corporations and persons whatsoever so contracting, selling, or conveying as aforesaid are hereby indemnified for and in respect of such sale or cession which he, she, or they shall respectively make by virtue of or in pursuance of this Act, without, however, diminishing in any manner the responsibility of such corporation or persons toward those whom they represent, as regards the purchase money or compensation of such sale or conveyance:

City not to be responsible for application of the purchase money.

- (2.) In case the Council of the city, after having resolved upon undertaking and carrying out any of the said works or improvements for which it has been necessary to acquire one or more lots of ground or real property within the limits of the said city, cannot come to an amicable arrangement with the person seized or possessed of, upon any title whatsoever, or interested in said lots of ground or property, or any part thereof, or who may be absent or unknown, as regards the price or compensation to be paid for the said lot of ground or property, or any part thereof (the said Council, however, shall not be bound to take any step or proceeding toward securing such amicable arrangements), such price or compensation shall be fixed and determined in the following manner, to-wit:

When the price or compensation for land to be taken cannot be agreed upon.

- (3.) The Council of the said city, by their attorney or counsel, shall give special notice, addressed through the post office to the person in whose name the property was lastly assessed on the assessment roll as proprietor, at his actual or last known domicile, and shall also give public notice by three insertions in at least one newspaper published or circulating in said city, and in the British Columbia Gazette, that they would, by or through their said attorney or counsel, present, on the day and hour named in the said notice, to the Supreme Court of British Columbia, or to any of the Judges of the said Court sitting in chambers, a petition calling upon the said Court, or any one of the Judges thereof, respectively, to choose and nominate three competent and disinterested persons to act as Commissioners to fix and determine the price or compensation to be allowed for

The Council may petition the Supreme Court to appoint 3 Commissioners to fix the price or compensation to be paid therefor.

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each and every lot of ground or property, or any part thereof, which may be required for the said Corporation for the purposes of the said improvements, and which shall be designated in the said notice by a general description, and by reference to a map or plan in the solicitor's office; and one week at least shall elapse from the date of the last insertion of the said notice in the said papers to the day appointed for a presentation of the said petition, and a copy of the said notice shall be posted near or in the neighbourhood of the property to be expropriated: Provided always, that the said Council may, instead of publishing such notice, serve or cause to be served upon the owner or owners of any such property personally such notice in writing, stating a time (not less than one week) when application will be made to the Court or Judge for the appointment of such Commissioners:

Court to appoint Commissioners and fix time for making report.

(4.) The Court or Judge, as the case may be, to whom the said petition shall have been presented, shall appoint three Commissioners as aforesaid and fix the day on which the said Commissioners shall begin their operations, and also the day on which they shall make their report: Provided always, it shall be lawful for the said Court, or any Judge thereof, to extend the time in which the said Commissioners shall make said report, upon reasonable grounds being shown to that effect, upon application of the said Commissioners or Council of the city:

Order to be served on Commissioners.

(5.) The order embodying the said appointment shall be served with as little delay as possible upon the said Commissioners, who shall be held to accept the said office and to perform the duties thereof, under the penalty of a fine of one hundred dollars, which it shall be competent for the said Court, or any Judge thereof, to inflict upon each of the said Commissioners, upon proof of his or their refusal or neglect, without reasonable excuse, to perform the said duties:

Penalty for refusing to act.

Commissioner may be removed for partiality, neglect, &c.

(6.) If one or more of the said Commissioners, at any time after their appointment, shall fail in the due performance of the duties assigned to them or him, in and by this Act, or shall not fulfil the said duties in a faithful, diligent, and impartial manner, it shall be lawful for the said Council, by its attorney, to apply, by summary petition, to the said Court, or to a Judge thereof, as the case may be, to stay the proceedings of the said Commissioners, and to remove and replace the Commissioner or Commissioners who may have forfeited or violated his or their obligation, or neglected his or their duties, or to appoint one or more Commissioners in the place of any whose service may have been or may be dispensed with for any cause; and upon such petition the said Court or Judge may make such order as may be deemed conformable to justice.

And another appointed.

- (7.) Immediately after the appointment of the said Commissioners it shall be the duty of the city engineer to furnish them with a plan or map showing the proposed improvement, as also the pieces or parcels of ground or real estate to be expropriated: A.D. 1886.  
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Commissioners to be furnished with plans of property in question.
- (8.) The Commissioners, before proceeding, shall make and subscribe a solemn declaration, under oath, to perform their duties in a faithful, diligent, and impartial manner, and they shall be entitled to receive a remuneration not exceeding five dollars per day each, during the whole time they of necessity shall be occupied in the performance of said duties; but the Council may, if they think fit, have the bill taxed on this scale by the taxing officer of the said Court: Oath to be taken by Commissioners.  
  
Remuneration.
- (9.) The said Commissioners may, if they deem proper, call upon the proprietors or parties interested to give them inspection of their title deeds, and upon their refusing to comply with such demands the said Commissioners are hereby authorized to procure copies of said deeds, at the cost of the said proprietors or parties interested; and the amount of said costs shall be deducted from the price or compensation to be finally awarded to the said proprietors or parties interested for the expropriation: Powers of the Commissioners.
- (10.) It shall be the duty of the said Commissioners to diligently proceed to appraise and determine the amount of the price, indemnity, or compensation (if any) which they shall deem just and reasonable for each of the pieces or parcels of land or real estate the expropriation whereof shall have been resolved on by the City Council, or for damages (if any) caused by such expropriation; and the same Commissioners may act and adjudicate upon the price or compensation for all and every the pieces or parcels of land or real estate, buildings or parts of buildings thereon erected, required for any improvement which the said Council may have ordered to be made or carried out at one and the same time, and the said Commissioners are hereby authorized and required to hear the parties, and to examine and interrogate their witnesses, as well as the members of the City Council and the witnesses of the said Corporation, on oath, and any one of such Commissioners may administer the oath to any witness; but the said examination and interrogatories shall be made viva voce, and the answers thereto shall be reduced to writing and shall form part of the report to be made by the said Commissioners: Provided, that if in the discharge of the duties devolving on the said Commissioners by virtue of the present Act, there shall occur a difference of opinion between them as to the value of the piece of land or real estate about to be expropriated, or upon any other ques-

Commissioners to appraise and fix price to be paid for the land to be taken, and the improvements thereon.

To hear all parties and witnesses on oath.

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Course to be followed in determining the damage by deterioration in value of property severed.

tion within their province, the decision of two of the said Commissioners shall have the same force and effect as if all the said Commissioners had concurred therein :

(11.) In every case where the Council of the said city may have resolved to carry out and execute any of the works or improvements aforesaid, the said Commissioners shall be held to determine and award, when the expropriation shall apply to or affect but a portion of the property or real estate, what may be the damage to or deterioration in value of the residue of the property or real estate, by the separation from it of the part required by the said Council ; and they shall determine, first, the intrinsic value of the part of the property and premises to be taken ; and, secondly, the increased value (if any) of the residue of the property caused by the proposed improvement ; and, thirdly, the damage or depreciation that may be caused to such residue of the property by reason of the expropriation of a part or portion thereof ; the difference between the intrinsic value of the part of the property and premises required and the increased value aforesaid, or the intrinsic value of such portion of the property and such changes as may be ascertained, shall constitute the price or compensation which the party or parties interested shall be entitled to ; and when the said Commissioners shall determine and award that the increased value is equivalent to, or in excess of, the intrinsic value of the part of the property and premises required, then they shall not award any price or compensation for the part so required or liable to expropriation :

In case of death, &c., of Commissioner, provides for appointment of another.

(12.) In case any of the Commissioners should, after being appointed, die, or be unable to act, the said Court, or one of the Judges thereof, as the case may be, shall, upon a summary application to that effect, to be presented by the Council of said city, after such notice as the Court or Judge may direct of the said Court or Judge, replace such Commissioner by another competent and disinterested person, upon whom the said office shall be binding in the same manner as upon his predecessor :

Parties aggrieved may be heard after price or compensation determined upon.

(13.) So soon as the said Commissioners shall have completed the proceedings relating to the appraisement, and determined the compensation for the piece or pieces or parcels of land or real property about to be expropriated, they shall give one week's public notice by means of a poster, to be posted upon or in the immediate vicinity of such pieces or parcels of land or real property, that on the day mentioned in said notice all parties interested or claiming indemnity, who may consider themselves aggrieved by the said appraisement, shall be heard before them in the city hall or council chamber, or a room connected therewith ; and when such parties aggrieved, or claiming indemnity,

Notice of time and place to be given.

shall have been heard as aforesaid, it shall be lawful for the said Commissioners to maintain or modify, at their own discretion, the appraisement made by them of any piece or parcel of land, or real estate aforesaid :

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Price may be modified or maintained.

- (14.) On the day fixed in and by the order appointing the said Commissioners, the Council of the said city, by their attorney or counsel, shall submit to the said Court, or to any of the Judges thereof, the report containing the appraisement of the said Commissioners, for the purpose of being confirmed to all intents and purposes ; and the said Court or Judge may thereupon, after hearing any or all of the parties interested therein, who may appear, pronounce the confirmation of the said report, which shall be final as regards all parties interested, and consequently not open to any appeal :

Confirmation of report final.

- (15.) The Council of the said city shall within one month from and after the confirmation of the reports of the said Commissioners, make in the hands of the Registrar or Clerk of the Court, whose duty it shall be to grant to the said Council a written acknowledgment thereof, a deposit of the price or compensation and damages settled and determined in and by the said report ; and the act of such deposit shall constitute, in behalf of the Council of said city, a legal title to the property of the said piece or parcels of land, or real estate, and from thence all proprietors of or other persons whatsoever interested in the said pieces or parcels of real estate, shall lose and be divested of all rights or claims thereto, except such as may be reserved by such report, and the said Council shall be vested with the said piece or pieces, or parcel of land, or real estate, subject as aforesaid, and may of right, and without any further formality, enter into possession of and use the same for any of the purposes authorized by this Act : any law, statute or usage to the contrary notwithstanding :

Council to pay amount awarded to Registrar of the Supreme Court within one month.

Thereupon legal title to the land to vest in the Council.

- (16.) Any expropriation made by virtue of this Act shall have the effect of removing and paying off all mortgages or privileges with which the said pieces or parcels of land or real estate may be burdened or encumbered at the time ; but the price or compensation deposited in the hands of the Clerk or Registrar as aforesaid shall be held to represent the said pieces or parcels of land or real estate, as regards all mortgages or privileged creditors, whose rank and priority shall be preserved in the distribution to be made of the money deposited conformably to this Act, and such distribution shall be made and determined by order of the said Court in such manner as may by it be deemed advisable and just to the parties interested :

Rights of mortgagees to be transferred from the land taken to the money paid as compensation therefor

In distribution rank and priority to be preserved.

- (17.) All the provisions contained in the third and fourth sections of this clause with regard to the appointment of Commissioners,

Third and fourth sections of this clause to have general ap-

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plication to all cases in ascertaining price to be paid by Council for damage to lands, &c.

and the mode of ascertaining the value of the piece or pieces or parcels of land or real estate taken by the Council of the said city, shall be and are hereby extended to all cases in which it shall become necessary to ascertain the amount of compensation to be paid by the said Council to any proprietor of real or personal estate, or his representative, for any damage he or they may have sustained by reason of any alteration made by order of the said Council in the line or level of any street, footpath, or sidewalk, or by reason of the removal of any establishment subject to be removed under any by-law of said Council, or to any party by reason of any other act of the said Council, for which they are bound to make compensation, and with regard to the amount of compensation for which damage the party sustaining the same and the Council shall not agree; and the amount of such compensation shall be paid at once by the said Council to the party having a right to the same, without further formality; and any person who shall erect any building whatever upon or contiguous to any established or contemplated street, public place or square in the said city, without having previously obtained from the city engineer (or surveyor) the level and line of such street, public place or square, shall forfeit his or her claim for damages or compensation by reason of any injury caused to the property or building when such level or line shall be settled and determined by the said Council through the said Committee:

Assessments under this section to be made in same manner as ordinary assessments.

- (18.) Special assessments under authority of this section shall be made in the same manner, and subject to the same appeals, and governed by the same decisions, and shall be collected by the same process as is provided by this Act in the case of ordinary assessments, or under the local improvement clauses of this Act, as the Council may determine.

*Local Improvements and Special Assessments therefor.*

Council may pass by-laws—

For determining what property will be benefitted by proposed improvements.

For assessing and levying on the same.

200. The Council may pass, repeal, alter, and amend by-laws:

- (1.) For providing the means of ascertaining and determining what real property will be immediately benefitted by any proposed improvements, the expense of which is proposed to be assessed as hereinafter mentioned, upon the real property immediately benefitted thereby; and of ascertaining and determining the proportions in which the assessment is to be made on the various portions of real estate so benefitted.
- (2.) For assessing and levying on the real property to be immediately benefitted by the making, enlarging or prolonging of any common sewer, or the opening, widening, prolonging or altering, macadamizing, grading, levelling, paving or planking of any

street, lane or alley, public way or place, or of any sidewalk, or any bridge forming part of a highway therein, on the petition of at least two-thirds in number of the owners of such real property, representing one-half of the value of such real property, a special rate sufficient to include a sinking fund for the repayment of debentures, which said Council is hereby authorized to issue in such cases respectively, on the security of such rates respectively, to provide funds for such improvements; and for so assessing and levying the same by an annual rate in the dollar on the real property so benefitted, according to the value thereof, exclusive of improvements:

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Special rate for repayment of money borrowed on debentures for improvements.

- (3.) For regulating the time or times and manner in which the assessments to be levied under this section are to be paid, and for arranging the terms on which parties assessed for local improvements may commute for the payment of their proportionate shares of the cost thereof in principal sums:

For regulating time and manner of levying and paying assessment.

- (4.) For effecting any such improvement as aforesaid, with funds provided by the parties desirous of having the same effected.

For carrying out improvements with funds provided therefor.

**201.** No such local improvements as aforesaid shall be undertaken by the Council (unless as provided in the next section) except under a by-law passed in pursuance of the fourth sub-section of the preceding section, otherwise than on a petition of two-thirds of the owners of the property to be directly benefitted thereof, representing at least one-half in value of such real property, the number of such owners, and the value of such real property having been first ascertained and finally determined, in the manner and by the means provided in the by-law in that behalf: and if the contemplated improvement is the construction of a common sewer having a sectional area of more than four feet, one third of the cost thereof shall also first be provided for by the Council, or by by-law for borrowing money, which the Council is hereby authorized to pass for such purpose, or otherwise.

Upon petition of  $\frac{2}{3}$  of the property owners to be benefitted the Council may pass by-law for undertaking local improvements.

If improvement be a common sewer Council to contribute  $\frac{1}{3}$  of the cost thereof.

**202.** In cases where the Council decides to contribute to at least half of the cost of such improvement, it shall be lawful for said Council to assess and levy in manner provided in the two preceding sections, from the owners of real property to be directly benefitted thereby the remaining portion of such cost without petition therefor, unless the majority of such owners, representing at least one-half in value of such property, petition the Council against such assessment within one month after the publication of a notice of such proposed assessment in at least two newspapers published in such city.

When Council decide to contribute  $\frac{1}{2}$  of the cost, they may assess and levy the remainder without petition therefor, unless petition against same.

**203.** No by-law passed in pursuance of the three preceding sections of this Act shall require the assent of the ratepayers of the city, but every such by-law shall recite:—

Such by-laws do not require ratepayers' assent  
By-law to recite—

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Amount of debt to be created.

Amount of annual rate.

Value of property rateable.

The annual rate for payment of interest and sinking fund.

Security to be the special rate only.

Sections 200 to 204 not to apply to works of repair and maintenance.

City to maintain streets and sewers when once made.

Printed copies of by-laws to be prima facie evidence.

No member or city official to vote for, certify to, or allow any unauthorized claim or the payment for work not done, or supplies not furnished;

Or to assist in disbursing city funds for purposes other than those for which the same was collected, &c.

(1.) The amount of the debt which such by-law is intended to create, and, in some brief and general terms, the object for which it is to be created :

(2.) The total amount required to be raised annually by special rate for paying the debt and interest under the by-law :

(3.) Value of the whole real property rateable under the by-law as ascertained and finally determined as aforesaid :

(4.) The annual special rate on the dollar, or per foot frontage, or otherwise, as the case may be, for paying interest and creating a yearly sinking fund for paying the principal of the debt, or for discharging instalments of principal according to the provisions of this Act; or in case the debt is payable under the provisions of this Act, by instalments, for paying the instalments of principal and interest as they respectively become payable :

(5.) That the debt is created on the security of the special rate settled by the by-law, and on that security only.

**204.** Nothing contained in the four next preceding sections of this Act shall be construed to apply to any work of ordinary repair and maintenance, and every ordinary sewer made, enlarged, or prolonged, and every street, lane, alley, public way or place, and sidewalk therein, once made, opened, widened, prolonged, altered, macadamized, gravelled or planked under the said sections of this Act, shall thereafter be kept in a good and sufficient state of repair at the expense of the city.

**205.** The printed copies of all by-laws passed by the Council, and purporting to be printed by authority thereof, shall be admitted as prima facie evidence thereof in all Courts in this Province, and on all occasions whatsoever.

**206.** No member or officer of the Council, and no member of the board organized under or in connection with the city government, pursuant to any law or by-law, shall, in his official capacity, or under colour of his office, knowingly, or wilfully, or corruptly vote for, assent to, or report in favour of, or allow, or certify for allowance, any claim or demand against the city, or any department thereof, or against any such Board as above mentioned, which claim or demand shall be on account or under colour of any contract or agreement not authorized by or in pursuance of the provisions of this Act, or any claim or demand against the city, or any department thereof, or any such board as aforesaid, which claim or demand, or any part thereof, shall be for work not in fact performed for, and by authority of, said city or board, or for supplies or materials not actually furnished thereto, pursuant to law or by-law; and no such member or officer as aforesaid shall knowingly vote for, assent to, assist, or otherwise permit or aid in the disbursement or disposition of any money or property belonging to the city, or any department thereof, or held by or in charge of any



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such Board as aforesaid, to any other than the specific use or purpose for which such money or property shall be, or shall have been, received or appropriated, or collected, or authorized by law to be collected; and any such member or officer as aforesaid who shall violate any of the foregoing provisions of this section shall, upon conviction thereof, be punished by imprisonment for not more than one year, or by fine of not less than five nor more than two thousand dollars.

Penalty.

**207.** Any person who shall violate any of the provisions of this Act, or any of the provisions of any by-law passed in pursuance of this Act, for the violation of which no punishment has been provided therein, shall be liable to punishment in a summary way by fine not exceeding one hundred dollars, or by imprisonment (with or without hard labour, in the discretion of the convicting Magistrate) not exceeding six months.

Penalty for violation of Act or by-laws where no punishment provided.

**208.** The books of account of the Board of Police Commissioners to be kept by them, and all documents relating to expenditures connected with their office, shall always be open to the inspection of the Treasurer and of any Committee appointed for that purpose.

Police Commissioner's books to be open to inspection.

**209.** The Solicitor shall furnish the Board of Police Commissioners with the legal advice and services desired by them; and the Board shall not employ any other at the city's expense without the consent of the Council.

City Solicitor to be Solicitor to the Police Commissioners.

**210.** The annual salary of any officer of the city shall not exceed the sum of three thousand dollars.

Annual salaries of civic officers not to exceed \$3,000.

**211.** The duty of all officers in the employ of the city shall be as the same are defined in this Act, or by by-law that may hereafter be passed by the Council; and every of them shall be only required to perform such services and do such work as is laid down in this Act or by-laws aforesaid, any Act, Law, or Order in Council to the contrary notwithstanding; and no other penalties shall attach for the non-performance of any services or work by any officer in the employ, or that may be hereafter in the employ, of the Council, except as provided in this Act.

Duties of civic officials to be such as are defined by this Act and the by-laws passed by the city.

**212.** In case the City Council at any time passes a resolution requesting any Judge of the Supreme Court, or the Judge of the County Court having jurisdiction in the City of Vancouver, or the Police Magistrate for the City, to investigate any matter to be mentioned in the resolution, and relating to a supposed malfeasance, breach of trust, or other misconduct on the part of any member of the Council or officer of the Corporation, or of any person having a contract therewith, in relation to the duties or obligations of the members to the Corporation, or in case the Council sees fit to cause enquiry to be made into or concerning any matter connected with the good government of the City

Investigation by Judge, &c., of charge of malfeasance by municipal officers.

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Powers of Judge, &c.

or the conduct of any part of the public business thereof; and if the Council at any time passes a resolution requesting the said Judge or Police Magistrate to make the enquiry, the Judge or Police Magistrate shall enquire into the same, and shall for that purpose have full power to summon witnesses before him to compel them to give evidence upon oath, either orally or in writing, or on solemn affirmation, and to produce and bring with them such books, documents, and things as he may think requisite for the complete and full investigation of such matter as aforesaid, and the Judge or Police Magistrate shall have the same power to enforce the attendance of witnesses and to compel them to give evidence, as is vested in any Court of Law in civil cases; and the Judge or Police Magistrate shall, with all convenient speed, report to the Council the result of the enquiry and the evidence taken thereon.

All streets, squares, &c., to vest in the city.

**213.** Every public street, road, square, lane, bridge, or other highway in the city shall be vested in the city (subject to any right in the soil which the individuals who laid out such road, street, bridge, or highway reserve), and such public street, road, square, lane or highway shall not be interfered with in any way or manner whatsoever, by excavation or otherwise, by any street railway, gas or water-works company, or any companies other than those hereinafter mentioned or referred to, or by any company or companies that may hereafter be incorporated, or any other person or persons whomsoever, except having first made application and received the permission of the City Engineer in writing.

Excavations not to be made without consent in writing of City Engineer.

All repairs to be made by the city.

**214.** Every such public street, road, square, lane, bridge and highway shall be kept in repair by the Corporation.

When a Commission of enquiry into the financial affairs of the city may issue.

**215.** In case one-third of the members of the Council or thirty duly qualified electors of the city petition for a Commission to issue under the great seal of the Province, to enquire into the financial affairs of the Corporation and things connected therewith, and if sufficient cause be shown, the Lieutenant-Governor in Council may issue a Commission accordingly, and the Commissioner or Commissioners, or such one or more of them as the Commission empowers to act, shall have the same power to summon witnesses, enforce their attendance, and compel them to produce documents and give evidence, as any Court has in civil cases.

Contracts, notes, &c., how to be executed.

**216.** All contracts, notes, bills, and other securities duly authorized to be executed on behalf of the Corporation, shall, unless otherwise specially authorized or provided, be sealed with the seal of the Corporation and signed by the Mayor and City Clerk, otherwise the same shall not be valid, and all cheques shall be signed by the Treasurer and Mayor and countersigned by the City Clerk.

Council may hold and dispose of real estate without its limits.

**217.** All lands conveyed to the Corporation outside the limits of the city, as defined by this Act, are hereby vested in the said Corporation,

their successors or assigns for ever, with power to the Council to dispose of the same whenever desired or deemed necessary. A D. 1886.

**218.** All oaths of office omitted in this Act shall be the same as provided in the "Municipality Act, 1881," and amendments thereto. Oaths of office.

**219.** The Council shall be at liberty and are hereby empowered to borrow from any chartered bank, either by promissory note or overdraft, any sum of money required for ordinary expenditure in or for the maintenance of the city, pending the collection of taxes or the realization of debentures issued or to be issued. Council may borrow money for ordinary expenditure pending collection of taxes.

**220.** Nothing in this Act contained shall apply to, or affect, conflict or interfere with the Vancouver Gas Company, Limited Liability, or to the rights, powers and privileges to be conferred upon the said Company by their Act of incorporation. Vancouver Gas Company's rights and privileges not interfered with.

**221.** This Act may be amended at any subsequent session of the House of Assembly. Act may be amended by Legislature.

**222.** All by-laws of the Corporation shall come into effect seven days from the publication thereof in the British Columbia Gazette, a copy whereof shall be evidence in all Courts of the Province, of the contents of any such by-law. By-laws to come into force seven days after publication.

*Interpretation Clause.*

**223.** Unless otherwise declared or indicated by the context, wherever any of the following words occur in this Act, the meaning hereinafter expressed shall attach to the same, namely:— Interpretation of words.

- (1.) The word "Council" means the Council of the City of Vancouver: "Council."
- (2.) "Land," "Real Property," and "Real Estate," respectively, shall include all buildings and other things erected upon or affixed to the land, and all machinery and other things so fixed to any buildings as to form in law a part of the realty, and all mines, minerals and quarries in and upon the same: "Land."  
"Real property."  
"Real estate."
- (3.) "Personal estate," and "personal property" shall include all goods and chattels, except land and real estate and real property as above defined, and except property herein expressly exempted: "Personal estate."  
"Personal property."
- (4.) The words "highway," "road," "bridge" mean respectively a public highway, road or bridge: "Highway,"  
"road," "bridge."
- (5.) The word "electors" means the persons entitled for the time being to vote at elections in the said city: "Electors."
- (6.) The term "property" includes both real and personal property: "Property."
- (7.) The word "city" means the City of Vancouver: "City."
- (8.) The word "Corporation" means the Corporation of the City of Vancouver: "Corporation."

A.D. 1886.

Short title.

224. This Act may be cited as the "Vancouver Incorporation Act, 1886."

SCHEDULE A.

FORM I.

I.—List of persons entitled to vote at Municipal Elections.

No on Roll.	Names.	Property.		Title.	Remarks.
		Lot.	Street or Block.		
6 25	James Johns John Smith	E. $\frac{1}{2}$ 8 W. $\frac{1}{2}$ 9	Maria Street Block C	Owner. Tenant.	See Ward No. 3.

A.D. 1886

FORM II.  
ASSESSMENT ROLL, WARD NO.

Names and Description of Persons Assessed.													Description and value of							
No. on Roll.	Name of Occupant, Owner or other Taxable Party.	Occupation.	Address.	Owner.	Tenant.	Resident.	Non-Resident.	Occupant.	Religion.			Total No. of house- hold.	Built on.	Vacant.	No. of Horses.	No. of Cattle.	No. of Sheep.	No. of Pigs.	Land.	
									Protestant.	Rom. Catholic.	Other Religion.								Street or other designation.	On what dis- trict lot.

CITY OF VANCOUVER.

Real and Personal Property.										Statute Labour.	Rate of Tax on the Dollar.	Total Amount of Taxes.	Remarks.
No. of Block.	No. of Lot.	Size of Lot.		Rate.	Value.	Buildings and Improvements.	Value of Real Property.	Value of Personal Property.	Total Assessable Value.	Persons from 18 to 60 years of age, not otherwise assessed.			
		Frontage.	Depth.										
					\$		\$	\$	\$			\$	

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FORM III.

*To all whom these presents shall concern :*

We,  
Esquire, Mayor, and  
of the  
Esquire, Treasurer  
of the City of Vancouver, in the Province of British Columbia,

SEND GREETING :

WHEREAS, by virtue of a warrant under the hand of the Mayor and seal  
of the said city, bearing date the

day of  
in the year of our Lord one thousand eight hundred and  
commanding the Treasurer  
of the said city to levy upon the lands hereinafter mentioned for the  
arrears of taxes due thereon to the City of Vancouver, with costs, the  
Treasurer of the said city did on the  
day of  
in the year of our Lord one thousand eight hundred and

sell by public  
auction to  
of the  
in the County of that certain parcel  
or tract of land and premises hereinafter mentioned, at and for the price or  
sum of

of lawful money of Canada,  
on account of the arrears of taxes alleged to be due thereon up to the  
day of  
in the year of our Lord one thousand eight hundred and  
together with costs.

Now KNOW YE, that we, the said  
and  
as Mayor and Treasurer of the City of Vancouver, in pursuance of such  
sale  
and for the consideration aforesaid, do hereby grant, bargain and sell unto  
the said  
his heirs and assigns, all that certain parcel or tract of land and premises  
containing more or less,  
being composed of (*here describe the land so that the same may be easily  
identified*).

IN WITNESS WHEREOF we, the said Mayor and Treasurer of the said City  
of Vancouver, have hereunto set our hands and affixed the seal of the city,  
this day of  
in the year of our Lord one thousand eight hundred and

[Corporate Seal.]

Countersigned,  
E. S.,  
City Clerk.

A. B., Mayor,  
C. D., Treasurer. }



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LIST No. 2 (Showing Votes wrongly named in Voters' List.

Names of Persons.	Ward.	The errors in statement upon Voters' List.
Joshua Townsend .....	2	Should be <i>Joseph</i> Townsend.
John McBean .....	4	Should be John McBean, <i>the younger</i> .
S. Connell .....	3	Should be <i>Simon</i> O'Connell. &c.,                   &c.

LIST No. 3 (Showing person wrongly inserted in Voters' List.

Names of Persons.	Ward.	Statement why wrongly inserted in Voters' List.
Peter White .....	4	Died before final revision of roll.
John May .....	3	Tenancy expired—left the country.
David Walters .....	2	Assessed too high—property worth under \$

LIST No. 4 (*Showing Voters whose property is erroneously described in Voters' List, &c.*)

Names of Persons.	Ward.	Errors in respect of Property or otherwise stated.
Stephen Washburn... . . . .	3	Name should not be in Ward No. 2.
Thomas Gordon.....	2	Property should be, &c.
Roland Blue.....	4	Should be described as owner, not tenant.

## FORM VI.

*To the Hon. Judge of, &c. :*

The Clerk of the City of Vancouver states and reports that the several persons mentioned in column 1 of the Schedule below, and no others, have each given to him (*or* "left for him at his residence or place of abode," as the fact may be,) written notice complaining of errors or omissions in the voters' list for said city for 18 , on the grounds mentioned in column 2 of the said Schedule, and that such notices were received respectively at the date set down in column 3 of the said Schedule.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_  
A. B.,  
*Clerk of the City of Vancouver.*

SCHEDULE.

1.	2.	3.
Name of Complainant.	Errors or omissions complained of.	State when Notice of Complaint received by Clerk.



## FORM VII.

A.D. 1886.

*To the Clerk of the City of Vancouver :*

I, *Luke Doran*, a person entitled to be a voter in the said city, complain that the name of *Peter Short* is wrongfully inserted in the voters' list of the said city, he having before the final revision and correction of the assessment roll transferred to me the property in respect to which his name is entered on the said list [*or*, "parted with the property in respect to which his name is entered on the voters' list, and that I am in possession of the same"]: And take notice that I intend to apply to the Judge to have my name entered on the said list, instead of the said *Peter Short*, pursuant to the provisions of the statute in that behalf.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 LUKE DORAN.

## FORM VIII.

*To \_\_\_\_\_, Clerk of the City of Vancouver :*

Upon reading your report and notification respecting the voters' list for said City of Vancouver for 18 \_\_\_\_\_, pursuant to the statute in that behalf, I appoint the \_\_\_\_\_ of \_\_\_\_\_ 18 \_\_\_\_\_, at the hour of \_\_\_\_\_ at \_\_\_\_\_ in the said city, for holding a Court to hear and determine the several complaints of errors and omissions in the said voters' list, of which due notice has been given.

You are constituted Clerk of the Court.

You will advertise the holding of such Court, and post up in your office a list of all complaints of errors and omissions in the said voters' list; and you will notify all parties concerned, according to law.

Let the Assessment Commissioner for the city attend the sittings of the said Court, and let the original assessment roll of the city for 18 \_\_\_\_\_, and the minutes of the Court of Revision for the city for 18 \_\_\_\_\_, be produced before me or the acting Judge on the day and at the place above mentioned.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .

\_\_\_\_\_  
*Judge.*

## FORM IX.

Notice is hereby given that a Court will be held pursuant to the voters' list clause of \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_, for the purpose of hearing all complaints made against the voters' list for the City of Vancouver, for 18 \_\_\_\_\_, particulars of which complaint are shown in the subjoined Schedule.

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All persons having business at the Court are hereby required to attend at the said time and place.

Dated \_\_\_\_\_ day of \_\_\_\_\_ 18  
A. B.,  
*Clerk of the City of Vancouver.*

SCHEDULE.

Name of Party Complaining.	Name of Person in respect to whom Appeal was made.	Grounds of Complaint alleged.
_____	_____	_____

FORM X.

Notice is hereby given that a Court will be held, pursuant to the voters' list clauses of \_\_\_\_\_ by the Hon. \_\_\_\_\_ Judge of the \_\_\_\_\_ Court at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 18 , at \_\_\_\_\_ o'clock, to hear and determine the several complaints of errors and omissions in the voters' list of the City of Vancouver, for 18 .

All persons having business at the Court are required to attend at the same time and place.

Dated \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
A. B.,  
*Clerk of the City of Vancouver.*

FORM XI.

You are hereby notified that, pursuant to the statute in that behalf, a Court for the revision of the voters' list 18 , for the City of Vancouver, will be held by the Judge, at \_\_\_\_\_, on the \_\_\_\_\_ day of 18 , at \_\_\_\_\_ o'clock, at which Court all complaints duly lodged of any error or omission in the said list will be heard and determined. A list of said complaints is posted up in \_\_\_\_\_, and you are hereby required to be and appear at such Court; and take notice that the Judge may proceed to hear and determine the complaints, whether the parties complaining appear or not.

By order of the Honourable \_\_\_\_\_, Judge of the \_\_\_\_\_ Court.

Dated \_\_\_\_\_ day of \_\_\_\_\_ 18 .

To

A person complaining of error }  
in the said Voters' List.

A. B.,  
*Clerk of the City of Vancouver, and  
constituted Clerk of said Court.*

FORM XII.

A.D. 1886.

You are hereby notified that, pursuant to the statute in that behalf, a Court for the revision of the voters' list 18 , for the City of Vancouver, will be held by the Judge at on the day of 18 , at o'clock, noon, and you are required to appear at the said Court, for that has complained that your name is wrongly inserted in the said voters' list ("because," &c, *state matter of complaint concisely*). A list of all complaints lodged is posted up in ; and take notice, that the Judge may proceed to hear and determine the said complaint, whether you appear or not.

By order of the Honourable Judge of the said Court.  
To  
Entered on the Voters' List.

A. B.,  
*Clerk of the City of Vancouver, and  
constituted Clerk of said Court.*

FORM XIII.



British Columbia,  
District of New Westminster, }  
To Wit:

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c.

To Greeting:

We command you that, all excuses being laid aside, you be and appear in your proper person before Our Judge of Our Court, at , on the day of , 18 , at o'clock in the noon, at the Court appointed, and there and then to be held, for hearing complaints of errors in the voters' list for 18 , of the City of Vancouver, and for revision of said voters' list,

, then and there to testify to all and singular those things which you know in a certain matter (*or matters*) of complaint made and now pending before the Judge, under the voters' list clauses of wherein one is complainant, and which complaint is to be tried at the said Court. Herein fail not.

Witness the Honourable , Judge of the said Court, at , the day of 18 .

A. B.,  
*Clerk.*

FORM XIV.

A. B., Clerk of the City of Vancouver, having testified under his hand that no complaint respecting the list of voters for the said city for the year

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18 , has been received by him within thirty days after the first posting up of the same, and on application of the said Clerk,

I, , Judge of the ,  
in pursuance of the provisions of the voters' list clauses of ,  
certify that the annexed printed list of voters, being one of the copies received by me from the said Clerk, under the provisions of the said Act, is the revised list of voters for the said city for the year 18 .

Given under my hand and seal at , this  
day of , 18 .

*Judge.*

FORM XV.

Be it remembered that upon a final revision and correction of the list of voters of the City of Vancouver for the year 18 , pursuant to the provisions of the voters' list clauses of , the following changes were duly made by me in the copies of the said city, viz :—

1. The following persons are ad led to the list :—

Name.	Ward.	Property.

2. The following persons are struck off the said list :—

Name.	Ward.	Property.

3. The following changes are made in the property described opposite to the names of voters otherwise correctly inserted :—

Name.	Ward.	Property as originally described on List.	Property as altered.

4. The following changes are made in the names of voters incorrectly named :—

A.D. 1886.

Name originally on List.	Ward.	Name as altered.	Property.

## FORM XVI.

I, \_\_\_\_\_ Judge of the Court of \_\_\_\_\_, pursuant to the \_\_\_\_\_ section of the voters' list clauses of \_\_\_\_\_, do hereby certify that the above (as the case may be) is a correct copy of the list of voters for the year 18 \_\_\_\_\_, received by me from the Clerk of the City of Vancouver, according to my revision and correction thereof, pursuant to the provisions of the said Act.

Dated at \_\_\_\_\_, this day of \_\_\_\_\_, 18 \_\_\_\_\_.

\_\_\_\_\_  
Judge, &c.

## FORM XVII.

In the matter of the Voters' List for the City of Vancouver for 18 \_\_\_\_\_, and of the complaint and appeal to the Judge of the Court by *A. B.*, complaining of the name of *C. D.* being wrongly inserted in the said list [*or, as the case may be, stating in brief the nature of the complaint*].

On proceedings taken before me, pursuant to the said Act, I find and adjudge that the name of *C. D.* was rightly inserted in the said list [*or, "was wrongly inserted in the said list"*], and order that the said *A. B.* do pay the said *C. D.* his costs occasioned by the said complaint [*or, "and order the said C. D. shall pay the said A. B. his costs incident to the said complaint,"—or, "and order that E. F., one of the Assessors of the said City, being blameable for such wrong insertion, do pay the said A. C. his costs incident to such complaint,"—(or, as the case may be, stating it in brief)*]*—said costs to be taxed pursuant to the said Act.*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

\_\_\_\_\_  
Judge.

## FORM XVIII.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c.

To the Sheriff of \_\_\_\_\_

Greeting:

We command you that of goods and chattels in your bailiwick of *C. D.*, you cause to be made \_\_\_\_\_ dollars for certain costs which lately

A. D. 1886. by an order of the Honourable \_\_\_\_\_, Judge of the Court  
of \_\_\_\_\_, dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_,  
were ordered to be paid by the said *C. D.* to *A. B.*, as and for his costs  
sustained by him on the trial of a complaint against the voters' list of the  
City of Vancouver for 18 \_\_\_\_\_, made and prosecuted under the provisions of  
the voters' list clauses of the \_\_\_\_\_; which said costs have  
been taxed and allowed at the said sum as appear of record, and have that  
money before Our Judge of Our said Court at Vancouver aforesaid, im-  
mediately after the execution thereof, and in what manner you shall have  
executed this Our writ make appear to Our Judge aforesaid, at Vancouver  
aforesaid, immediately after the execution thereof, and have you there then  
this writ.

Witness the Honourable \_\_\_\_\_, Judge of Our said  
Court, at \_\_\_\_\_, the \_\_\_\_\_  
day of \_\_\_\_\_, in the year of Our Lord 18 \_\_\_\_\_.

\_\_\_\_\_  
*Clerk.*

FORM XIX.

In the matter of Assessment for the year 18 \_\_\_\_\_ in the City of Vancouver.

The persons mentioned in the first column of the Schedule following not  
being assessed [*or*, not being sufficiently assessed], on the Assessment Roll of  
the City of Vancouver for the year 18 \_\_\_\_\_, and having been found entitled to  
vote, on proceedings taken before me, Judge \_\_\_\_\_ Court of the  
under the voters' list clauses of \_\_\_\_\_, in pursuance of section  
of the said Act, it is adjudged that the said parties mentioned in the first  
column of the following Schedule, respectively, should have been assessed for  
the sum mentioned in the second column, respectively, opposite their respective  
names in respect to the land or other property or qualification mentioned in  
the third column of said Schedule, respectively, opposite the respective  
names of said parties; and it is ordered that the said parties shall be assessed  
accordingly.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

\_\_\_\_\_  
*Judge.*

SCHEDULE 1.

Column 1.	Column 2.	Column 3.
Names of persons liable to have been assessed on the Assessment Roll for the City of Vancouver for the year 18 _____, but not assessed.	Amount for which the party should have been assessed.	Property in respect to which the liability to assessment exists.
_____	_____	_____



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—

said city, and any documents in your custody, power, or control relating to the assessment roll, or to the voters' list aforesaid; and then and there submit yourself for the examination on oath as may be required of you. Herein fail not at your peril.

Dated this                      day of                      , 18 .

To C. D.,

Clerk of the City of Vancouver.

\_\_\_\_\_  
*Judge.*

\_\_\_\_\_  
  
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