



CHAPTER 65.

An Act to further amend the “New Westminster 1888, c. 42.
Act, 1888.”

[21st February, 1895.]

WHEREAS the Mayor and Council of the City of New Westminster have presented a petition for an Act amending the “New Westminster Act, 1888”: Preamble.

And whereas it is expedient to grant the prayer of such petition :

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

1. Section 3 of the “New Westminster Act, 1888,” (hereinafter Repeals s. 3.
referred to as “the said Act”) is hereby repealed.

2. Section 4 (save and except sub-sections 1 and 2) of the said Act is hereby repealed, and the following substituted for the parts Re-enacts s. 4 and
s.-s., except s.-s. (1)
and (2).
repealed :—

“4 There shall be elected from time to time, in the manner hereinafter mentioned, a fit and proper person who shall be called the Mayor of the City of New Westminster, and there shall be elected not more than fifteen persons, and not less than seven, as the Council may at any time, and from time to time, by by-law determine, who shall be called Aldermen of the City of New Westminster; and such Mayor and Aldermen for the time being shall form the Council of the said City of New Westminster, and shall be designated as such, and shall represent for all purposes whatsoever the Corporation of the City of New Westminster, and shall hold office until their successors are appointed as hereinafter provided: Constitution of
Council.

“(3.) The persons qualified to be elected Mayor 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 Qualification of
Mayor.

under this Act, and who have been for the six months next preceding the day of nomination the registered owners in the Land Registry Office of real property of the assessed value of at least one thousand dollars, as rated on the last revised municipal assessment roll, over and above the amount of all encumbrances thereon:

Qualification of
Aldermen.

“(4.) The persons qualified to be elected Aldermen 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 who have been for the six months next preceding the day of nomination the registered owners in the Land Registry Office of real property of the assessed value of at least five hundred dollars, as rated on the last revised municipal assessment roll, over and above the amount of all encumbrances thereon.”

Re-enacts s. 8.

3. Section 8 of the said Act is hereby repealed and the following substituted therefor:—

Chinese and Indians
not entitled to vote.

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

Re-enacts ss. 14 and
15.

4. Sections 14 and 15 of the said Act are hereby repealed and the following substituted therefor:—

Nomination for office
of Mayor and Aldermen.

“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 resolution appoint, and for the nomination of candidates for the office of Aldermen 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:

Clerk of the City to
be Returning Officer.

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 one week in a newspaper published or circulating in the City, and at least twenty-five posters posted in conspicuous places in various parts in said City.”

"15. The nomination of each candidate shall be in writing, and be signed by the proposer and seconder, who shall be duly qualified electors of and residents 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 Officer shall, after a 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 at such place or places respectively as may be fixed by resolution 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."

Examination and proceedings incident thereto.

5. Section 16 of the said Act (save and except sub-sections 1, 2, and 3 thereof) is hereby repealed, and the following substituted for the parts repealed:—

Repeals s. 16 and s.-ss., except s.-ss. (1), (2), and (3).

"16. The Council shall from time to time by resolution appoint the place or places for taking the vote of the electors, and appoint the Deputy Returning Officers to take the said votes, and in the event of no such Deputy Returning Officers being appointed, or in the event of the City Clerk being satisfied that any Deputy Returning Officer so appointed is unable to act as such, the Clerk of the City shall appoint Deputy Returning Officer or Officers for holding the election in conformity with this Act."

Council by resolution to appoint time and place of taking election.

Appointment of Deputy Returning Officers.

6. Sub-sections 1, 2, 3, 7, 11, 13, 17, 19, 23, 25, 27, 30, and 32 of section 17 of the said Act are repealed, and the following substituted therefor:—

Re-enacts s.-s. 1, 2, 3, 7, 11, 13, 17, 19, 23, 25, 27, 30, and 32 of s. 17.

"(1.) The Clerk of the City or other Returning Officer shall, before the poll is opened, deliver to the Deputy Returning Officer for each 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, and also a list of the candidates for the office of Mayor, and of the candidates for the office of Aldermen, together with a sufficient number of ballots for Aldermen and for Mayor, or either, as required:

Clerk to provide Deputies with ballot boxes and certified voters' lists.

"(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:

Voters' lists to be verified by oath.

Appointment of Poll
Clerks.

“(3.) The Returning Officer shall nominate and appoint, in writing, such and so many Poll Clerks as he shall deem necessary, and he shall administer to them the oath of office :

“(7.) At the 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 :—

Oath, &c., of chal-
lenged voter.

“I, *A. B.*, do swear (*or affirm*) that I am twenty-one years of age, 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 for Aldermen, or for a candidate for Mayor (as the case may be); 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 or corruption disqualifying me from voting at this election, and that I am properly qualified to vote at this election. So help me God :

Form of ballot paper
for Aldermen.

“(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, to cause to be printed ballots, which ballots shall have printed upon them in large letters the names of the candidates for the office of Alderman, which names shall be in alphabetical order, and deliver sufficient of the same to each Deputy Returning Officer for each polling subdivision :

Colour of ballot pa-
pers for Mayor and
Aldermen.

“(13.) The ballot papers for Mayor shall be printed on coloured paper, and 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 close to the left-hand margin :

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 used at such election, the said Deputy Returning Officer, if the said voter is not required to take the oath or to state his residence or occupation, or is 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:

Counting of 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 such voters, if any, as may be present, provided, however, that if more than six persons be present the Deputy Returning Officer may limit the right to attend to any six of such persons, exclusive of the candidates and their agents, 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 Returning Officer; all those by which 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.

“(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 for the office of Aldermen who shall appear by such returns to have received the highest number of votes elected; 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, whether qualified or not, vote for one thereof, and forthwith declare such one elected: On receipt of ballot boxes Returning Officer to count and declare who is elected.

In case of a tie Returning Officer to have casting vote.

“(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 New Westminster, shall have power to and shall direct a re-count of the ballots for Mayor or Aldermen, and shall direct the City Clerk to produce all the ballot papers before him, and he shall re-count 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 re-count shall be final, subject to the election being contested as hereinafter provided. Such re-count must be made within ten days after the declaration of the City Clerk or other Returning Officer: Re-count may be ordered by a Judge of Supreme or County Court.

“(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 may have marked his ballot paper in my presence at this election. So help me God.” Oath of Secrecy.

Re-enacts s-s. 2 of
s. 18.

7. Sub-section (2) of section 18 of the said Act is hereby repealed and the following substituted therefor :—

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

Form of declaration
of office of Mayor
and Aldermen.

“I *A. B.*, Mayor or Alderman elect, 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 Mayor or Alderman for the City of New Westminster (*as the case may be*); 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, otherwise than as a shareholder in any incorporated company. 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.”

Re-enacts s. 31.

8. Section 31 of the said Act is hereby repealed and the following substituted therefor :—

Council to appoint
Assessment Commis-
sioner and Assessors.

“31. The Council shall, on or before the first day of November in each year, appoint an Assessment Commissioner to make the assessment for the following year, and when necessary one or more assistants, all of whom shall be called Assessors, and they shall constitute a Board; and the salaries to be paid to 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.”

Re-enacts s. 33.

9. Section 33 of the said Act is hereby repealed and the following substituted therefor :—

Council to provide
Commissioner 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, or in such other form as the Council may direct, 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.”

Re-enacts s. 35.

10. Section 35 of the said Act is hereby repealed and the following substituted therefor :—

Revision of valua-
tions.

“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 ratable property in the city is assessed, and to make out an assessment roll in such form as the Council may

Assessment roll to
be made out.

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 the City of New Westminster, or his agent if known, 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 who is rated upon such roll a like notice; and if the address of such person or agent be not known, then if such notice be addressed to such person at the City of New Westminster it shall be deemed sufficient notice.

Notice of assessments to be given to persons assessed.

“(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 following year, and to return the assessment roll not later than the first day of March following, 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 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 situate within the City of New Westminster, and the true and lawful value thereof, according the best of my (*or our*) information and judgment, 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 house-holders, 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 house-holder, tenant, or freeholder, or the bonâ 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

Certificate to be attached to assessment roll.

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 person so assessed. So help me God."

Repeals ss. 39, 40,
and 42.

11. Sections 39, 40 and 42 of the said Act are hereby repealed.

Equalization of as-
sessment on appeal.

12. In the event of the assessment of any lot being lowered on account of an appeal having been taken against the Assessor's valuation to the Court of Revision, or against the decision of the Court of Revision to a Judge, the Court of Revision shall have power to act as a Board of Equalization for the assessed value of all lands or real property liable to have been similarly reduced had an appeal been taken, and to proportionately reduce the assessed values of all such lands or real property.

Re-enacts ss. 46, 47,
48, 49, and 50.

13. Sections 46, 47, 48, 49 and 50 of the said Act are hereby repealed and the following substituted therefor:—

Clerk to make out
tax rolls. Form of,
and what contained
therein.

"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, in which he shall enter all the land and taxable property in the 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 alphabetically arranged, and shall contain the name in full of every person assessed, and the assessed value of his real property, as ascertained after the said final revision, and he shall calculate, and opposite the said assessed value therein of each respective person he shall set down, 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.

Arrears of taxes to
be entered therein.

"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 taxable property in the City, and said arrears shall be set down opposite the name of the person; 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.

Completed roll to be
given to Collector.

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

Collector to serve
notice demanding
payment of rates.

"49. On receiving said tax roll the Collector shall forthwith serve upon, or transmit by mail, a notice containing a statement and demand of taxes to each person whose name appears on said roll, or to the

agent of such person, if absent, if he knows the name of such agent, or if he does not know the address of such person or his agent, such notice shall be addressed to such person at the City of New Westminster; and such statement or 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 *primâ facie* evidence of the mailing of same, such statement shall show separately the rate required to meet the interest and sinking fund in respect of the debenture debt of the city, the rate required for school purposes (if any), and the rate required for the general purposes of the city.

“50. In case any person 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 or 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.”

Collection may be made by sale and distress.

14. Sections 70 and 76 of the said Act are hereby repealed, and the following substituted therefor:—

Re-enacts ss. 70 and 76.

“70. If the land will not sell for the full amount of 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 interest thereon at ten per centum per annum, 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.

“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

Redemption of land sold for taxes.

which the order mentioned in section 73 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 interest thereon at ten per centum per annum, 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."

Re-enacts s. 85.

15. Section 85 of the said Act is hereby repealed and the following substituted therefor:—

Form of voters' lists.

"85. The said list shall give the names of the voters in the city, and shall be in the form, as nearly as may be, given in Schedule A to this Act, and shall be completed not later than the first day of September in each year."

Repeals s. 87.

16. Section 87 of the said Act is hereby repealed.

Re-enacts s. 89.

17. Section 89 of the said Act is hereby repealed and the following substituted therefor:—

Notice to be published when voters' list completed.

"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 of 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, and shall deliver, or cause the same to be delivered, to the City Clerk within the time hereinbefore specified."

Repeals ss. 23 and 24.

18. Sections 23 and 24 of the "New Westminster Act, 1888, Amendment Act" are hereby repealed.

Re-enacts s.-s. (e) of s. 97.

19. Sub-section (e) of section 97 of the said Act is hereby repealed and the following substituted therefor:—

Copy of voters' list to be furnished for 25c.

"(e.) To any other party requiring the same on payment of twenty-five cents therefor."

20. Section 127 of the said Act, save and except sub-sections (1), (2), (4), (5), (6), (6*a*), is hereby repealed, and the following substituted for the parts repealed :—

“127. The right of voting on by-laws requiring the assent of electors shall belong to the following persons, being males or females of the full age of twenty-one years, being rated to the amount of three hundred dollars over and above the amount of any incumbrances affecting the same 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. And each person so qualified shall be entitled to one vote only :

Re-enacts s. 127, except s.-ss. (1), (2), (4), (5), (6) and (6*a*).
Who may vote on by-laws requiring assent of electors.

“(3.) The Council shall, by resolution, 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 resolution, and shall also name Deputy 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:

Time and place of voting to be fixed by resolution.

“(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 shall count the ballots, and shall add up and verify the same, and make the return to the City Clerk as in the case of an ordinary election for Mayor :

Form of ballot paper.

“(8.) Upon receiving the returns from the Deputy Returning Officers, the City Clerk shall add up the same, and if it shall appear from such return that the total number of votes cast for such by-law be three-fifths of the votes polled, the City Clerk shall forthwith declare such by-law carried ; otherwise he shall declare the by-law lost.”

Final count.

If three-fifths for, by-law carried.

21. Section 142 of the said Act is hereby amended by adding thereto the following sub-sections :—

Adds to s. 142 (20*a*), (74*a*), and (95*a*) as new sub-secs.

“(20*a*.) For charging a reasonable admission fee or fees to any park during any time when there may be held therein the exhibition or show of any agricultural or other society having for its object, or one of its objects, the promotion of agricultural, horticultural, stock-raising, or any kindred industry :

Council has power to make by-law to charge for entry to park during exhibitions, etc.

“(74*a*.) For regulating and determining the fares to be taken by livery-stable keepers for any vehicle or vehicles, horse or horses :

To regulate fares taken for vehicles, etc.

To regulate licensing
of milk vendors.

“(95a.) For regulating the licensing of the vendors of milk doing business within the city and the inspection of all dairies, together with the premises used therewith, and also the cows of all such persons, whether such persons shall reside on their premises or the cows shall be situate or be kept within or without the limits of the city, and to prohibit the selling or offering for sale of tainted or unwholesome milk within the city.”

Re-enacts s. 150, ex-
cept s.-ss. (1) to (11)
and (13) to (17).

22. Section 150 of the said Act (save and except sub-sections (1) to (11), both inclusive, and (13) to (17), both inclusive) is hereby repealed, and the following substituted for the portions repealed:—

First meeting of
Council.

“150. 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, or a holiday proclaimed by any lawful authority, then such meeting shall be held on the next day thereafter at noon:

Aldermen may re-
sign.

“(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; provided, however, that no member of the Council shall hereafter be at liberty to resign his seat within the first three months of the period for which he may have been elected, unless he shall first have paid the sum of fifty dollars to the Treasurer for the purposes of the said Corporation.”

Proviso.

Re-enacts s. 153.

23. Section 153 of the said Act is hereby repealed and the following substituted therefor:—

Appointment of offi-
cers.

“153. The Council shall appoint, by ballot, 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.”

Re-enacts s. 159.

24. Section 159 of the said Act is hereby repealed and the following substituted therefor:—

All moneys to be
paid into Treasury.

“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 Council may from time to time enact rules for the taking and keeping of receipts of money, and otherwise respecting the management of the Treasury. All payments on account of pay-rolls shall be made by the Treasurer after the same have been audited by the

Treasurer to report
delinquencies.

City Clerk and placed in his hands therefor. All payments of salaries or wages shall be made by the Treasurer, who shall pay each person, or his legal representative, and take a proper receipt therefor.” Payments of and receipts for money, how made.

25. Sections 165, 170, 174 of the said Act are hereby repealed and the following substituted in lieu thereof:— Re-enacts ss. 165, 170, and 174.

“165A. There is hereby constituted a Board of Commissioners of Police for the said city, which Board shall consist of the Mayor, the Judge of the County Court of the county or district in which the city is situate, and the Police Magistrate; and in case the office of Judge or Magistrate is vacant, the Lieutenant-Governor in Council shall appoint such person or persons resident in the municipality to be a member or members of the Board during such vacancy, as the case may require, and the Mayor, or person appointed in his room, shall be ex-officio Chairman of the Board. Constitution of Commissioners of Police.

“165B. The Commissioners shall have power to summon and examine witnesses on oath in all matters connected with the administration of their duties, and they shall have the same power to enforce the attendance of such witnesses, and to compel them to give evidence, as is vested in any Court of Law in civil cases. A notice to attend before the Board shall be sufficient, if signed by the Chairman of the Board or any one of the Commissioners, but no party or witness shall be compelled to answer any question by his answer to which he might render himself liable to a criminal prosecution. Their powers and duties.

“165C. All meetings of the Board of Police Commissioners shall be open to the press and the public, unless otherwise decided by the Board. Meetings to be open, unless otherwise ordered.

“165D. The City Council shall determine the number of police and constables to be engaged, and shall fix and pay the remuneration of the police, and shall provide all such clothing, accoutrements, and other necessities as may from time to time be deemed requisite for the accommodation and use of the force. Council to determine number of police, pay, etc.

“165E. Save and except as provided in section 165D, the said Board shall have the sole control and charge of the Police Department of the city, the persons employed therein, and generally of 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, may pass by-laws relating thereto.” Board generally to have control of police.

26. It shall be sufficient as regards the form of any by-law for contracting a debt if the same shall conform to the provisions of the “Municipal Act, 1892,” and amending Acts. Form of by-law contracting debt.

27. The expression “public hospital,” when used in the said Act, shall mean any institution set apart and in use as a hospital, carried Meaning of “public hospital.”

on for charitable purposes, and wherein the sick, injured, infirm, or aged are received and treated, without regard to race or creed.

Council may prevent nomination of disqualified person to office.

28. The Council may provide for the prevention of the nominating for any elective office of any person not having the statutory qualification therefor, or being disqualified for the same; and it shall be lawful for the Council from time to time to make such other provisions as may be deemed expedient for the regulation of municipal elections, provided that the same shall not be inconsistent with the Act of Incorporation or amending Acts.

Re-enacts Form II.

29. The Schedule to this Act is hereby substituted for the Form II. contained in the Schedule to the said Act.

Short title.

30. This Act may be cited as the "Westminster City Amendment Act, 1895."

THE SCHEDULE.
ASSESSMENT ROLL.

Names and Description of Persons Assessed.												Description and Value of Land.							
No. on Roll	Name of Occupant, Owner, or other Taxable Party.	Occupation.	Address.	Owner.	Tenant.	Resident.	Non-Resident.	Occupant.	Religion.			Total No. of household.	Built on.	Vacant.	No. of Horses.	No. of Cattle.	No. of Sheep.	No. of Pigs.	Street or other designation.
									Protestant.	Rom. Catholic.	Other Religion.								

CITY OF NEW WESTMINSTER.

Real Property.							Total amount of Taxes.	Remarks.
No. of Block.	No. of Lot.	Rate.	Value.	Buildings and Improvements.	Value of Real Property.	Total Assessable Property.		
			\$		\$	\$	\$	

108