



CHAPTER 63

An Act to amend the Cities and Towns' Act

[Assented to, the 28th of April, 1939]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 66 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), as replaced by the act 23 George V, chapter 41, section 1, is again replaced by the following:

“66. The mayor and aldermen shall be *ex officio* justices of the peace for the receiving of oaths only, so long as they continue in office, within the municipality, without being bound to take the oaths prescribed for justices of the peace.”

2. Section 398 of the said act is amended by adding thereto the following paragraph:

“Nevertheless, whenever, instead of a fixed penalty, a by-law provides either a maximum and minimum penalty, or a maximum penalty only, the court may, at its discretion, impose, in the first instance, such penalty as it may see fit within the limits of such maximum and such minimum, and, in the second instance, such penalty as it may see fit up to the extent of such maximum.

The provisions of the preceding paragraph shall apply to every city or town, whatever law governs it.”

3. Section 423 of the said act, as amended by the act 2 George VI, chapter 61, section 1, is again amended by replacing the first paragraph thereof by the following:

Transmission
of copy of
by-law.

“423. Except in the case of a loan by-law already approved by the Minister of Municipal Affairs, Trade and Commerce, a copy of every by-law passed under this act or the charter shall be transmitted without delay to the Lieutenant-Governor in Council who may disallow it.”

R.S., c. 102,
s. 522, am.

4. Section 522 of the said act is amended:

a. By inserting therein, after the word: “cent”, in the fourth line of the first paragraph thereof, the words: “of the municipal valuation, including all taxes, both general and special”;

b. By adding thereto, after the said first paragraph thereof, the following paragraph:

Valuation of
certain land
restricted.

“Such land cannot be valued at more than one hundred dollars per arpent if it has an area of fifteen arpents or more. Such valuation shall include the house used as a farmer’s dwelling, the value whereof not exceeding three thousand dollars, as well as the barns, stables and other buildings used in connection with the said land.”

R.S., c. 102,
s. 622, am.

5. Section 622 of the said act, as amended by the acts 19 George V, chapter 34, section 3; 25-26 George V, chapter 47, section 1, and 25-26 George V, chapter 48, section 1, is again amended:

Delay for
giving of
notice.

a. By striking out, in subsection 1 thereof, the words: “, but, when the accident is due to the state of the public highway owing to ice or snow, the notice provided for in this subsection must be given within the seven days following the accident”;

Idem.

b. By striking out, in subsection 4 thereof, the words: “, but, when the accident is due to the state of the public highway owing to ice or snow, no reason may be declared such if, during the above-mentioned seven days, the said victim was able to communicate with relatives or friends and have the said notice given by them”.

Coming into
force.

6. This act shall come into force on the day of its sanction.