



## CHAPTER 127

An Act to amend the charter of the city of Sherbrooke

*[Assented to, the 15th of March, 1933]*

**W**HEREAS the city of Sherbrooke has represented, by Preamble.

its petition, that it is in the public interest and important for the proper administration of its affairs, that its charter, the act 7 Edward VII, chapter 66, as amended by the acts 8 Edward VII, chapter 87; 1 George V (1910), chapter 51; 2 George V, chapter 58; 4 George V, chapter 76; 5 George V, chapter 91; 7 George V, chapter 67; 12 George V, chapter 106; 15 George V, chapter 95; 16 George V, chapter 76, and 21 George V, chapter 129, be again amended, in order to grant it additional powers; and

Whereas it is expedient to grant the prayer contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The city of Sherbrooke is by this act authorized to Loan authorized for: borrow an amount not exceeding four hundred and thirty-five thousand dollars, to pay the following expenditures:

a. One hundred thousand dollars for direct relief to rate-payers who are in need; Direct relief;

b. Sixty thousand dollars to pay for the immoveables purchased by the city during the past five years; Immoveables;

c. Seventy-five thousand dollars to pay for material purchased for the construction of a transmission line, from the Westbury power plant to the city of Sherbrooke and for the installation of lamp-posts in the streets of the city; Construction of transmission line, etc.;

d. Two hundred thousand dollars for the current business of the city, pending the collection of arrears of taxes due to the city. Current business.

How loan to  
be made.

**2.** The loan or loans to be made for the payment of the amounts mentioned in sub-paragraphs *a*, *b* and *c* of section 1 of this act, that is, for the sum of two hundred and thirty-five thousand dollars, shall be made by means of an issue of bonds or debentures payable to bearer, and each of such bonds or debentures shall be for an amount of one hundred dollars or multiples of one hundred dollars, bearing interest at not more than six per cent per annum, which interest shall be paid every six months.

Repay-  
ment.

Such bonds or debentures may be made repayable within a delay not exceeding thirty years, yearly, half-yearly or in any other manner which the city council may deem expedient, and must be signed by the mayor and by the clerk.

Interest  
coupons.

Coupons representing half-yearly interest payments shall be attached to each bond or debenture and shall bear the signature of the mayor and of the clerk, which signatures may be printed, engraved or lithographed.

How loan  
for current  
business to  
be made.

**3.** The loan to be made, to pay the sum of two hundred thousand dollars mentioned in sub-paragraph *d* of section 1 of this act, shall be by an issue of bonds or debentures payable to bearer or to the persons whose names are registered according to law, such bonds or debentures to be for an amount of one hundred dollars or multiples of one hundred dollars each, bearing interest at not more than six per cent per annum, which interest shall be payable every six months.

Repay-  
ment.

Such bonds or debentures shall be made repayable within a delay not exceeding five years, yearly or half-yearly, as the city council may deem expedient, and must be signed by the mayor and by the clerk.

Interest  
coupons.

Coupons representing half-yearly interest payments shall be attached to each bond or debenture and shall bear the signature of the mayor and of the clerk, which signatures may be printed, engraved or lithographed.

Deposit of  
arrears of  
municipal  
taxes.

As the city collects the arrears of municipal taxes due, for the year 1931 and the years previous thereto, it shall deposit at least half of the sums thus collected in a special account, in the name of the city and of the Quebec Municipal Commission, in a bank chosen by the council, in order to provide for the payment of such bonds or debentures at their maturity.

Imposition  
of special  
tax in cer-  
tain event.

The by-law ordering the loan for such sum of two hundred thousand dollars shall provide for the imposing of a special tax upon all the taxable real estate at a rate sufficient to pay the bonds or debentures which will be issued under such by-law, in the event of the sums paid by the

city into the special account for the repayment of such bonds or debentures being insufficient to pay such bonds or debentures in full.

**4.** The loans authorized by this act, for the total amount of four hundred and thirty-five thousand dollars, may be made by the city council without it being necessary to follow the proceedings and formalities required by the provisions of chapters 102 and 111 of the Revised Statutes of Quebec, 1925, concerning municipal loans, but simply by a by-law passed and adopted at a regular meeting of the council or at a special meeting called for such purpose. It shall not therefore be necessary that such by-laws, authorizing such various loans, be approved or voted upon by the people, but they must be approved by the Quebec Municipal Commission and the Lieutenant-Governor in Council. Provisions applicable to loans.

**5.** Section 173 of the Cities and Towns' Act (Revised R. S., c. 102, Statutes, 1925, chapter 102) is replaced, for the city, by the following: s. 173, replaced for city.

**"173.** Starting from the year 1934, the voting for the election of mayor and aldermen shall be held on the fourth Tuesday of March in each year, as the case may be, or the following juridical day, if such day be a holiday. Election of mayor and aldermen.

The Lieutenant-Governor in Council may, by letters patent, upon the application of the council of the municipality concerned, change the date for the elections. Change by letters patent.

The proceedings and notices for such application shall, as far as possible, be the same as those required for obtaining letters patent under sections 12 and following of this act. Proceedings, etc.

Notice of such change must be published in the *Quebec Official Gazette* and in the volume of the statutes passed at the then next session of the Legislature. Notice.

**6.** Section 179 of the said Cities and Towns' Act is replaced, for the city, by the following: R. S., c. 102, s. 179, replaced for city.

**"179.** Eight days at least before the third Tuesday of March in each year, the returning-officer shall give public notice, over his signature, setting forth: Notice by returning-officer.

1. The place, day and hour fixed for the nomination of candidates;

2. The day on which the poll for taking the votes of the electors will be held, in case a poll is necessary;

3. The appointment of the election clerk."

R. S., c. 102, s. 181, replaced for city. **7.** Section 181 of the said Cities and Towns' Act is replaced, for the city, by the following:

Date of nomination. **"181.** The nomination of aldermen and mayor shall be held the third Tuesday of March in each year, as the case may be, from ten to eleven o'clock in the forenoon. If such day be a holiday, it shall be held on the first juridical day following such date, and during the same hours."

8 Ed. VII, c. 87, s. 2, repealed. **8.** Section 2 of the act 8 Edward VII, chapter 87, as replaced by the acts 2 George V, chapter 58, section 5, and 15 George V, chapter 95, section 4, is hereby repealed, subject to the provisions of section 5 of this act.

7 Ed. VII, c. 66, s. 11, am. **9.** Section 11 of the act 7 Edward VII, chapter 66, as amended by the acts 4 George V, chapter 76, section 40, and 16 George V, chapter 76, section 1, is again amended by replacing paragraph 6 thereof by the following:

Payment of taxes and right of vote. **"6.** If he is not a proprietor of real estate in the city, he must have paid all the taxes due by him to the city, and, in order to vote at any municipal election, he must have paid all such taxes before the first day of the month of March immediately preceding the polling for such election."

R. S., c. 102, s. 484, replaced for city. **10.** Section 484 of the said Cities and Towns' Act is replaced, for the city, by the following:

Fiscal year. **"484.** The city council may enact, by resolution, that the fiscal year of the municipality shall begin on the 1st of December of the year and end on the 30th of November of the following year, and the taxes and yearly assessments shall be payable on the dates determined by the council."

R. S., c. 102, s. 540, replaced for city. **11.** Section 540 of the said Cities and Towns' Act is replaced, for the city, by the following:

Notice of deposit of roll. **"540.** The treasurer, after having completed the collection roll, shall give public notice announcing that the general collection roll, or the special roll, as the case may be, has been completed and is deposited in his office, and requiring all persons, bound to pay the sums therein mentioned, to pay the same at his office, in four equal and consecutive instalments, the first whereof shall be due and payable on the 1st of January, the second, on the 1st of April, the third, on the 1st of July, and the fourth, on the 1st of October, of each year.

Payment by instalments.

Instalments for 1933. Nevertheless, for the year 1933, the sums mentioned in the general collection roll shall be payable in three instal-

ments only, the first whereof shall be due and payable on the 1st of April, the second, on the 1st of July, and the third, on the 1st of October, 1933."

**12.** The city council shall grant a discount of five per cent to every person paying the sums mentioned in the general or special collection roll and due by them, on or before the 1st of January, the 1st of April, the 1st of July and the 1st of October. Granting of discount.

**13.** All sums, due by the ratepayers and carried on the general or special collection roll, which are not paid within the twenty days following the 1st of January, the 1st of April, the 1st of July and the 1st of October, shall bear interest at the rate of six per cent per annum. Interest on overdue payments.

**14.** The city of Sherbrooke has the right and power to grant an exclusive franchise to any person, firm, company or corporation who or which has or will establish a transportation service for travellers by autobus, within the limits of the city. Power to grant certain exclusive franchise.

This section shall not apply to any autobus service having its terminus only within the city, but such service shall not have the right to carry passengers from one part of the city to another, nor from the city to the town of Lennoxville or *vice versa*, but may only carry passengers from the said terminus to other points outside the city or *vice versa*, and for this purpose may pass through the city and through the town of Lennoxville. Restriction.

**15.** The franchise mentioned in the preceding section may be granted by a resolution of the council, on such conditions as the council wishes to impose and for a period of not more than ten years. How franchise may be granted.

**16.** This act shall come into force on the day of its sanction. Coming into force.