

PROCLAMATIONS *1928*

AND
25
1928

ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONOURABLE NARCISSE PÉRODEAU, LL.D.,

LIEUTENANT-GOVERNOR

QUEBEC

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ANNO DOMINI 1928

PROCLAMATIONS

RESPECTING THE TOWN OF JONQUIÈRE

Canada,
Province of }
Quebec. }

N. PÉRODEAU

[L. S.]

GEORGE V, *by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas,*
KING, *Defender of the Faith, Emperor of India.*

To all to whom these presents shall come or whom the same may concern—GREETING.

PROCLAMATION

CHARLES LANCTOT,
Deputy Attorney
General

WHEREAS in and by section 173 of the Cities and Towns' Act, 1922, it is enacted that the Lieutenant-Governor in Council, at the request of the Council of a city or town municipality, may, by letters patent, change the date of the general election of the mayor and aldermen of said municipality, fixed by the Cities and Towns' Act for the first juridical day of February, every two years;

Whereas the Council of the town of Jonquière, county of Chicoutimi, in a resolution adopted the 2nd of February, 1925, sets forth that at this time of the year, namely, the first juridical day of February, a large part of the population of the town is engaged in lumbering operations and resides in the forests, and that it is then impossible for such persons to exercise the voting rights conferred upon them by the said act;

Whereas the resolution further sets forth that such change has been asked for by the persons interested in obtaining such change and that it will cause no prejudice to the remainder of the population of Jonquière;

Whereas the said resolution names the first juridical day of July as being the most convenient date for the holding of the general election for mayor and aldermen for the town of Jonquière, and that it prays that letters patent be issued to that effect;

THEREFORE, with the advice and consent of Our Executive Council, expressed in an Order dated the 14th of March, 1925, and

in accordance with section 173 of the Cities and Towns' Act, 1922, We have fixed and, by the present letters patent, fix the date of the general election of the mayor and aldermen in the town of Jonquière for the first juridical day of July, instead of for the first juridical day of February.

OF ALL WHICH Our loving subjects and all others whom these presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of the Province of Quebec to be hereunto affixed. WITNESS: Our Right Trusty and Well Beloved the Honourable NARCISSE PÉRODEAU, Lieutenant-Governor of Our said Province.

At our Government House, in Our City of QUEBEC, in Our said Province, this THIRTY-FIRST day of MARCH, in the Year of Our Lord, one thousand nine hundred and twenty-five, and in the fifteenth year of Our Reign.

By Command,

C. J. SIMARD,
Assistant Provincial Secretary.

RESPECTING THE TOWN OF SAINT-JOSEPH D'ALMA

Canada,
Province of }
Quebec.

N. PÉRODEAU

[L. S.]

GEORGE V, *by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, KING, Defender of the Faith, Emperor of India.*

To all to whom these presents shall come or whom the same may concern—GREETING.

PROCLAMATION

J. A. HUDON, } **W**HEREAS section 173 of chapter 102 of the
Acting Assistant Attorney General } Revised Statutes of Quebec, 1925, enacts
that the Lieutenant-Governor in Council may, by letters patent, upon application of a city or town municipality, change the date for the general election for mayor and aldermen of the said municipality, which the Cities and Towns' Act determines shall be held, every two years, on the first juridical day of February;

Whereas the council of the town of Saint Joseph d'Alma, county of Lake Saint John, in a resolution adopted on November 3rd, 1927, sets forth that at such period of the year, namely, the first juridical day of February, a great part of the population of the town is engaged in lumbering operations and resides in the forests and that it is then impossible for such persons to exercise the voting rights conferred upon them by the said act;

Whereas the resolution alleges moreover that such change has been applied for by the persons who are interested in obtaining it, and that it will cause no prejudice to the rest of the population of the town of Saint Joseph d'Alma;

Whereas the said resolution names the first juridical day of July as being the most convenient date for the holding of the general election for mayor and aldermen for the town of Saint Joseph d'Alma, and that the town applies for the issue of letters patent for such purpose:

THEREFORE, with the advice and consent of Our Executive Council, expressed in an Order dated December 21st, 1927, and in conformity with section 173 of chapter 102 of the Revised Statutes of Quebec, 1925, We have named and do, by the present letters

patent, name the date of the holding of the general election for mayor and aldermen for the town of Saint Joseph d'Alma to be the first juridical day of July, instead of the first juridical day of February.

OF ALL WHICH Our loving subjects and all others whom these presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of the Province of Quebec to be hereunto affixed. WITNESS: Our Right Trusty and Well Beloved the Honourable NARCISSE PÉRODEAU, Lieutenant-Governor of Our said Province.

At Our Government House, in Our City of QUEBEC, in Our said Province, this TWENTY-SEVENTH day of DECEMBER, in the year of Our Lord one thousand nine hundred and twenty-seven, and in the eighteenth year of Our Reign.

By command,

ALEXANDRE DESMEULES,
Acting Assistant Provincial Secretary.

ORDERS IN COUNCIL

EXECUTIVE COUNCIL CHAMBER

No. 895

QUEBEC, 6th OF JUNE, 1927.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING A PETITION OF THE COUNTY COUNCIL OF
THE MAGDALEN ISLANDS

IT IS ORDERED, in conformity with section 48 of chapter 86 of the Revised Statutes of Quebec, 1925, that the hunting, killing or taking of fox be prohibited within the limits of the Magdalen Islands, for a term of five years.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 2252

QUEBEC, 16th OF DECEMBER, 1927.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE PROTECTION OF BIG GAME

WHEREAS, every year, several thousand deer and some hundreds of moose are killed and are put on the market for commercial purposes;

Whereas, to supply the market in such proportion, recourse is had to all means, especially to hunting with search-lights and with dogs, at all times of the year;

Whereas the caribou, which was one of the great attractions for all the sportsmen in our Province a few years ago, has almost entirely disappeared due to excessive hunting and also to its destruction by wolves;

Whereas it is expedient to take energetic measures not only to put an end to such continuous destruction, but also to enable our game to multiply;

THEREFORE, IT IS ORDERED,

a) That, in conformity with paragraph 1 of section 48 of chapter 86 of the Revised Statutes, 1925, it be prohibited to hunt or kill or take caribou for a period of five years;

b) That, in conformity with paragraph 2 of the same section, it be prohibited to sell, offer for sale or keep for sale deer, moose or any part of same, for a period of three years from the first of February (1st February), 1928.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 576

QUEBEC, 5th OF APRIL, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE PRICE OF PERMITS TO DEAL IN FURS
IN THE PROVINCE

IT IS ORDERED, that the prices of permits, for any person desiring to deal in furs in the Province, be hereafter as follows:

1. Permits for stores for residents, British subjects, who desire to deal in furs.....	\$ 25.00
2. Permits for fur peddlers who purchase for themselves or for others, as agents, or engaged on salary or commission or otherwise, when British subjects and residents of the Province.....	100.00
3. Permits for fur peddlers or hawkers residing in the Province of Quebec and not British subjects, and who are not subject to any designated premises.....	200.00
4. Permits for stores for residents, British subjects, who desire to deal wholesale in furs.....	100.00
5. Permits for traders, non-residents, who desire to purchase only from wholesale dealers.....	5.00
6. Permits for dealers in dressed and prepared furs for the purpose of manufacturing same.....	10.00
7. Permits to tan and dye furs.....	10.00

IT IS MOREOVER ORDERED that Order in Council No. 786, dated the 30th of April, 1920, be in consequence amended.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 688

QUEBEC, 21ST OF APRIL, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE TARIFF FOR HUNTING LICENSES TO
PERSONS DOMICILED IN THIS PROVINCE WHO
ARE NOT BRITISH SUBJECTS.

Whereas a great number of foreigners residing in the Province of Quebec, but who are not British subjects (Italians, Greeks, etc., etc.) obtain a license for two dollars (\$2.00) to hunt during the summer, especially in the neighbourhood of towns, feathered game, migratory insectivorous birds;

Whereas until the present the tariff for such licenses fixed at \$2.00 does not enable us to sufficiently control said hunting and that it is expedient to raise the price thereof so as to eliminate a certain class of those poachers who pass the Sundays and holidays in the woods destroying our feathered game.

IT IS ORDERED, that the price of such hunting licenses, for all those domiciled in the Province who are not British subjects, be fixed at \$5.00 and that Order in Council No. 2632, dated the 3rd of December, 1919, be in consequence amended.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 502

QUEBEC, 24TH OF MARCH, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING MOTOR VEHICLES

Whereas pleasure vehicles are leased with or without a chauffeur, and it is advisable to establish a tariff for their registration, and make

regulations for their use, under the authority of sub-paragraph *a* of subsection 1 of section 68 of the Motor Vehicle Act (Revised Statutes, 1925, chapter 35).

IT IS ORDERED:

1. That the fee exigible for each annual registration and renewal of a pleasure vehicle possessed for hire, with or without a chauffeur, in this Province, be based on the weight of such motor vehicle, and be at the rate of \$1.00 per hundred pounds or fraction thereof, plus the price of the plates.

2. That these vehicles shall have a seating capacity of seven, weigh at least 3,000 lbs. and carry plates with the letter "H" and that they shall not have the exterior appearance of a taxi, nor shall they be kept on a stand nor at any other public place for hiring purposes.

3. That the driver of such vehicle shall be either a licensed chauffeur or be the lessee of the vehicle; that, if he is a chauffeur, he shall produce, on request by a constable or a road officer, (a) the certificate of registration of the vehicle, (b) his own license certificate; and that, if he is the lessee, he shall produce, (a) the certificate of registration of the vehicle, (b) his driving license certificate, and (c) a card from the registered owner of the vehicle stating that the vehicle is at the time under lease without a chauffeur.

4. That the Order in Council No. 516, dated March 26th., 1926, be repealed.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 601

QUEBEC, 5th OF APRIL, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE MOTOR VEHICLE ACT

Whereas sub-paragraph *b* of subsection 1 of section 68 of the Motor Vehicle Act authorizes the Lieutenant-Governor in Council to change the maximum weight of autobusses, load included;

Whereas by a report dated March 27th, 1928, the chief engineer of the Roads Department establishes that the motor vehicle having at each end of its driving axle twin wheels equipped with balloon tires, and driven only on paved roads and not on gravelled ones, may have a maximum weight of 14,000 pounds, including the weight of the vehicle and that of its capacity;

IT IS ORDERED, that—notwithstanding the maximum weight established respectively by subsections 2 and 3 of section 40 of the Motor Vehicle Act, and the amendment made by Order in Council No. 2050, dated November 4th, 1924, in connection with the total weight of motor vehicles having more than one driving axle—the total weight of an autobus, including the weight of the vehicle and that indicated by its capacity, may be, outside of cities and towns, 14,000 pounds, provided such vehicle has at each end of its driving axle twin wheels equipped with balloon tires, and provided such vehicle is driven only on paved roads and not on gravelled ones.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 799

QUEBEC, 4th OF MAY, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE AMENDMENT TO THE ORDER IN
COUNCIL OF THE 24th OF MARCH, 1928—
RE. MOTOR VEHICLES

Whereas the Order in Council of the 24th of March, 1928, provides for the registration, as pleasure vehicles, of certain motor vehicles employed for hire, at the same rate as the registration of a taxi;

Whereas paragraph 2 of such Order in Council establishes a minimum weight of 3,000 pounds and a capacity of seven passengers for the motor vehicles which may be registered as pleasure vehicles for hire;

Whereas it is advisable to extend this privilege to motor vehicles of a smaller weight and capacity;

IT IS ORDERED, that paragraph 2 of such Order in Council be replaced by the following: "That these vehicles shall not have the exterior appearance of a taxi, nor shall they be kept on a stand, nor at any other public place for hiring purposes."

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 503

QUEBEC, 24th OF MARCH, 1928.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE SECURITY TRANSFER TAX ACT
(REVISED STATUTES, 1925, CHAPTER 27).

IT IS ORDERED that the following by-laws be adopted:

BY-LAWS:

*Respecting the Security Transfer Tax Act
(Revised Statutes, 1925, Chapter 27).*

TAX PAID IN STAMPS

Article 1.—Except in the cases mentioned in article 5 of these by-laws, the tax imposed by this Act shall be paid in stamps.

Article 2.—Such stamps shall be sold for the Province by a revenue officer specially appointed for that purpose, at Montreal and at Quebec.

Article 3.—The stamps shall be affixed:

- a.* On the transfer book of the company or corporation which has made the issue, or on the book of its transfer agency, or
- b.* On the certificate, or
- c.* On a slip attached to the certificate.

Article 4.—The following information shall be written on the transfer book, on the certificate or on the slip, near the place where the stamp is affixed, to wit:

- a.* The date of the sale, assignment or transfer;
- b.* The name of the vendor or assignor;
- c.* The name of the buyer or assignee.

TAX PAID IN MONEY

Article 5.—The tax imposed by this Act may be paid in money in the following cases:

- a.* When the sale, transfer or assignment is made or reported to an exchange agency (Stock Exchange) which is recognized in the Province and which complies with the conditions hereafter set forth;
- b.* When the sale, transfer or assignment is made by a person licensed to do a brokerage business in the Province, having a place of business therein, and complying with the conditions hereafter set forth;

c. When a demand to that effect is made to the Provincial Treasurer for a complete issue, and is agreed to by the latter;

d. When the Provincial Treasurer thinks it advisable to do so in the interest of the Province, in order to assure the carrying out of the Act in a more useful and effective way.

RECOGNIZED STOCK EXCHANGE

Article 6.—To be recognized in the Province, a Stock Exchange must:

a. Have been organized in conformity with law;

b. Have, by a by-law, obliged all its members to report thereto all their transactions in securities, whether they be quoted or not, and whether they be made through the Stock Exchange or not;

c. Have a copy of the by-law approved of by the Lieutenant-Governor in Council and deposited at the Provincial Revenue Office, at Quebec.

PRIVILEGE TO RECOGNIZED STOCK EXCHANGES

Article 7.—The conditions under which the privilege of paying in money is granted to a Stock Exchange are the following, to wit:

a. That such Stock Exchange be recognized in the manner indicated in article 6;

b. That its members comply with the by-law of the Stock Exchange mentioned in article 6,—that they furnish each day to the Secretary of the Stock Exchange a complete statement of their operations, whether on the Stock Exchange or outside, and that they furnish affidavits to the effect above mentioned, whenever required to do so;

c. That the Board of the Stock Exchange makes every day a daily report, and every Monday a summary of such reports—for the preceding week—to the collector of Provincial Revenue at Montreal if the Stock Exchange is situated in the revenue district of Montreal, and to the Comptroller of Provincial Revenue at Quebec if the Stock Exchange is situated in any other district;

d. That each weekly report be accompanied by a cheque to the order of the Provincial Treasurer, in payment of the tax on all the transactions made and reported to the Stock Exchange during the week immediately preceding such Monday.

PRIVILEGE TO THE LICENSED BROKERS

Article 8.—The conditions under which the privilege of paying in money is granted to a broker in securities are the following, to wit:

a. That he has one or more places of business in the Province;

b. That he be licensed and his license be in force;

c. That he gives on memorendums the following details on each of his transactions, to wit:

- I. The consecutive number of his transactions;
- II. The date of the sale, assignment or transfer;
- III. The name of the vendor or assignor;
- IV. The name of the buyer or assignee;
- V. The quantity and description of the securities;

d. That he produces in the office of the collector of Provincial Revenue if it is in the district of Montreal, or in the office of the Comptroller of Provincial Revenue if it is in any other revenue district, during the first five days of each month, a detailed statement of all his transactions in securities and brokerage operations which he has made for himself or for others, during the preceding calendar month:

e. That such detailed statement shall contain all his transactions and operations, without any exception, whether they are made or reported to a Stock Exchange recognized in this Province, or are made elsewhere or otherwise,—whether they are subject to the tax or exempted therefrom,—whether they are made or put into effect in the Province or elsewhere,—whether the tax has been paid to this Province or not;

f. That such detailed statement be accompanied by a cheque to the order of the Provincial Treasurer, for the total amount of the tax due according to such statement;

g. That such statement be made in the form established by the Comptroller of Provincial Revenue;

h. That, in order to facilitate to the Revenue Inspectors the verification of such statement, the books of the broker must contain all the information mentioned on the statement and must be submitted to them;

i. That, in order to allow such verification, the broker shall keep all his memorandums until the same shall have taken place, provided the period of time be not more than two years.

CANCELLATION OF THE PRIVILEGE

Article 9.—The Provincial Treasurer may discontinue the privilege of paying the tax in money whenever he is convinced that a Stock Exchange or a broker does not comply with the conditions above established, concerning that Stock Exchange or that broker.

NOTICE TO COMPANIES AND CORPORATIONS

Article 10.—The companies or corporations whose securities are entered in the reports of the Stock Exchange or in the detailed statement of the broker, in the manner above indicated, may accept the written affirmation of any officer or member of the Stock Exchange or of the broker: 1) to the effect that the tax has been paid by the Board of the Stock Exchange or by the broker, as the case may be,

or, II) to the effect that the tax was not exigible because the transfer has been made *bona fide* for the security of loans or because it was a retransfer to the borrower, or because the transfer has been made owing to death.

WHO GIVES THE NOTICE

Article 11.—The affirmation mentioned in article 10 may be made by the attorney of such officer or member of the Stock Exchange or of such broker, and, when it is signed by such attorney, it is valid and has the same effect as if it had been made personally by such officer, or member, or broker, provided a letter from such officer, or member, or broker, be furnished to each of these companies or corporations mentioned in article 10, acknowledging the signer of the affirmation to be his attorney and stating that, until such letter is revoked by him, the attorney is authorized to sign in his name.

PROOF IN CASE OF EXEMPTION

Article 12.—The proof that a transfer of shares, debentures, debenture-stock or bonds has been made *bona fide* to guarantee a loan, or to retrocede the same to the borrower, or has been made owing to death, must be made by affidavit, when the revenue inspector so requires.

WHO RECEIVES THE AFFIDAVITS

Article 13.—The affidavits and declarations required in accordance with the Act and the present by-laws may be made before any revenue officer charged with the administration of this Act, or any person authorized to receive affidavits in this Province.

COMING INTO FORCE

Article 14.—The present by-laws shall come into force on the first day of May, 1928, after having been published in the *Quebec Official Gazette*.

Moreover, the Honourable Provincial Treasurer recommends that the following orders in council concerning such Act be revoked from the 1st of May, 1928, to wit:

- a. The one dated April 5th, 1906, published in the *Quebec Official Gazette* on the 7th of the same month;
- b. The one dated May 30th, 1906, published in the *Quebec Official Gazette* on the 2nd of June following;
- c. The one dated February 19th, 1908, published in the *Quebec Official Gazette* on the 22nd of the same month;
- d. The one dated January 25th, 1928, which has not been published in the *Quebec Official Gazette*.

(Certified)

A. MORISSET,
Clerk of the Executive Council.