

ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONOURABLE SIR CHARLES FITZPATRICK, P. C., G. C. M. G.,

LIEUTENANT-GOVERNOR

QUEBEC

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ORDERS IN COUNCIL



EXECUTIVE COUNCIL CHAMBER

No. 965

QUEBEC, 10th OF JUNE, 1921.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE TARIFF OF FEES UNDER THE ALCOHOLIC LIQUOR ACT.

Whereas under the provisions of section 117 of the Alcoholic Liquor Act, the Lieutenant-Governor in Council may make, amend or replace the tariff of fees which may be granted to any clerk, bailiff, constable, advocate, witness, or officer, in any suit or action;

Whereas under the provisions of article 3550 of the Revised Statutes, 1909, the Lieutenant-Governor may, by Order-in-Council, impose such tax or duty as He sees fit, on any judicial proceedings in all districts other than the district of Pontiac, and especially on any proceedings before any justice of the peace, judicial officer or magistrate or before any tribunal whatever;

IT IS ORDERED that the hereunder tariff be adopted.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

TARIFF OF FEES GRANTED to clerks, bailiffs, constables, advocates, witnesses, inspectors and officers of The Quebec Liquor Commission, under the Alcoholic Liquor Act.

1.—*In any suit or action instituted before the Circuit Court:*

a. The fees of the clerk and the imposable tax are determined by the tariff of the Circuit Court for actions of the third class;

b. The fees of the advocates are those granted by the tariff of advocates before the Circuit Court in actions of the third class;

c. The fees of the bailiffs are those granted by the tariff of the bailiffs in the third class of actions of the Circuit Court;

d. The witnesses are paid in accordance with the rules of practice of the Circuit Court respecting witnesses.

2.—*In all other suits or actions the fees are determined in the following manner:*

A. The clerk shall be entitled to the fees and taxes payable under the tariff of the clerks of the peace and the clerks of the justices of the peace;

B. The bailiffs, constables, inspectors or officers of the Commission, shall be entitled to the following fees:

1. For the service of a warrant, summons, subpoena, order, return or process whatever.....	\$ 0 35
2. For every arrest.....	1 50
3. For the seizure and sale under a warrant, including publication.....	2 50
4. For a seizure not followed by sale.....	1 50
5. For every mile travelled for the service of any process or the execution of the orders of the Commission (without any mileage allowance for return).....	0 35

The above mileage costs can only be charged for the distances necessarily travelled from one place to another without going beyond the limits of a judicial district. When a high constable, bailiff or constable must go beyond the limits of the judicial district where he has his domicile, he has the right to a fee of \$3.00 per day in addition to his actual travelling expenses.

For the purposes of the present tariff, the territory added to the district of Quebec by section 5 of the act 7 George V, chapter 14, is considered beyond the limits of the said district of Quebec.

6. When the sum fixed by the foregoing article is not sufficient to reimburse the officer for his actual travelling expenses, there may be granted him, instead of the travelling expenses fixed above, such other sum as may be deemed just and established by the oath of said officer.

C. The advocate shall be entitled to the following fees:

1. If a plea of guilty is registered on or before return.....	10 00
2. If the plea of guilty is registered after return.....	15 00
3. If one or several witnesses are examined.....	25 00
4. A fee of \$5.00 per postponement granted at the request of the defendant shall be payable in advance to the advocate.	

5. In case of appeal the fees payable to the advocate are those allowed by article 69 of the tariff of advocates before the Superior Court.

D. The witness shall be entitled to the allowance granted to Crown witnesses (Article 3402 of the Revised Statutes, 1909, and amendments).

EXECUTIVE COUNCIL CHAMBER

No. 2231

QUEBEC, 14th OF NOVEMBER, 1921.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE TARIFF OF FEES UNDER THE
QUEBEC LICENSE ACT.

Whereas under the provisions of article 1061 of the Quebec License Act, the Lieutenant-Governor in Council may make, modify or replace the tariff of fees, granted to any clerk, bailiff, constable, advocate, witness or other officer, in any suit or action;

Whereas under the provisions of article 3550 of the Revised Statutes, 1909, the Lieutenant-Governor may, by Order-in-Council, impose such tax or duty as He sees fit on any judicial proceedings in all the districts other than the district of Pontiac, and especially on any proceedings before any justice of the peace, judicial officer or magistrate or before any tribunal whatever;

IT IS ORDERED that the hereunder tariff be adopted.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

TARIFF OF FEES GRANTED to clerks, bailiffs, constables, advocates, witnesses, inspectors and Revenue officers, under the Quebec License Act.

1.—*In any suit or action instituted before the Circuit Court:*

- a. The fees of the clerk and the imposable tax are determined by the tariff of the Circuit Court for actions of the third class;
- b. The fees of the advocates are those granted by the tariff of advocates before the Circuit Court in actions of the third class;
- c. The fees of the bailiffs are those granted by the tariff of the bailiffs in the third class of actions of the Circuit Court;
- d. The witnesses are paid in accordance with the rules of practice of the Circuit Court respecting witnesses.

2.—*In all other suits or actions the fees are determined in the following manner:*

A. The clerk shall be entitled to the fees and taxes payable under the tariff of the clerks of the peace and the clerks of the justices of the peace;

B. The bailiffs, constables, inspectors or Revenue officers shall be entitled to the following fees:

1. For the service of a warrant, summons, subpoena, order, return or process whatever.....	\$ 0 35
2. For every arrest.....	1 50
3. For the seizure and sale under a warrant, including publication.....	2 50
4. For a seizure not followed by sale.....	1 50
5. For every mile travelled for the service of any process or the execution of the orders of the Comptroller of Provincial Revenue, (without any mileage allowance for return).....	0 35

The above mileage costs can only be charged for the distance necessarily travelled from one place to another without going beyond the limits of a judicial district. When a high constable, bailiff or constable must go beyond the limits of the judicial district where he has his domicile, he has the right to a fee of \$3.00 per day in addition to his actual travelling expenses.

For the purposes of the present tariff, the territory added to the district of Quebec by section 5 of the act 7 George V, chapter 14, is considered beyond the limits of the said district of Quebec.

6. When the sum fixed by the foregoing article is not sufficient to reimburse the officer for his actual travelling expenses, there may be granted him, instead of the travelling expenses fixed above, such other sum as may be deemed just and established by the oath of said officer.

C. The advocate shall be entitled to the following fees:

1. If a plea of guilty is registered on or before return.....	5 00
2. If the plea of guilty is registered after return, or if one or several witnesses are examined.....	10 00
3. A fee of \$5.00 per postponement granted at the request of the defendant shall be payable to the advocate.	

D. The witness shall be entitled to the allowance granted to Crown witnesses (Article 3402 of the Revised Statutes, 1909, and amendments).

EXECUTIVE COUNCIL CHAMBER

No. 257

QUEBEC, 7th OF FEBRUARY, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING MOTOR VEHICLES

It is ordered that under the authority of article 1432 of the Revised Statutes, 1909, as replaced by section 14 of the act 11 George V, chapter 30, the following regulation be made in connection with the law respecting motor vehicles, to wit:

Regulation No. 24

A. If a person holding a chauffeur license, or repairing motor vehicles in a licensed garage, can, by one or more practical demonstrations before a professor of a Technical School, prove that he understands the principles of a motor vehicle engine and of its transmission and control systems, and that he can properly make, repair and adjust any part of the engine and of the system that is liable to break, loosen or wear out, the principal of the Technical School may issue a certificate to that effect;

B. Upon production of such a certificate and the payment of a fee of one dollar, a license as "Machinist in Motor Vehicles" may be issued to him;

C. Such a license shall entitle the holder thereof to have his name, address and qualification as such, forwarded by the Provincial Automobile Bureau to the Automobile Clubs and to the owners of motor vehicles in the Province, at such times and in such a manner as the Provincial Treasurer may determine, and shall authorize the keeper or operator of a licensed garage to advertise that he is, or has in his actual employ in the garage, the holder of such a license, provided the name of the holder is in the advertisement plainly stated as such licensee;

D. A license as "Machinist in Motor Vehicles" shall be in force only while the licensee is also the holder of a chauffeur license or while the licensee works in a licensed garage;

E. Any person who falsely designates himself as the holder of a license as "Machinist in Motor Vehicles", or who makes a false advertisement in connection with the regulation, shall be considered guilty of an offense against the law respecting motor vehicles;

F. The Provincial Treasurer may, at any time, suspend or revoke a license issued under the present regulation.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 389

QUEBEC, 28th of FEBRUARY, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING MOTOR VEHICLES

Whereas it is expedient to modify the fees payable for the registration of motor vehicles, and to establish, under the authority of article 1432 of the Revised Statutes, 1909, as replaced by the act 11 George V, chapter 30, section 14, the tariff of fees payable in the future for the registration of pleasure vehicles and of commercial vehicles.

IT IS ORDERED:

1. That on and from the first of March, 1922, inclusively, the fee payable for the registration of any pleasure vehicle be ninety cents per horse-power or any fraction thereof, provided, that the fee payable for a pleasure vehicle shall not exceed eighty dollars;
2. That on and from the first of March, 1922, inclusively, the fee payable for the registration of any commercial vehicle be fifty dollars for each ton, or fraction thereof, of capacity;
3. That notwithstanding the foregoing paragraph 2, the fee payable for the registration of commercial vehicles possessed by farmers and operated on their farms exclusively, and also of pneumatic sweepers, patrol wagons, ambulances, fire engines, reels, ladder trucks, salvage wagons, watering waggons and sweepers owned by municipal corporations be only one dollar and fifty cents per vehicle;
4. That the Order in Council No. 984, dated the 10th of June 1921, be revoked.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 650

QUEBEC, 13th OF APRIL, 1922,

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING MOTOR VEHICLES

Whereas owing to amendments made to the law respecting motor vehicles or to alterations made by Orders in Council passed subsequently, it is necessary to amend or repeal certain regulations made under the authority thereof;

IT IS ORDERED:

1. That the Order in Council No. 312, dated the 4th of May, 1908, be amended:

a. By replacing paragraph 1 by the following:

“The officer appointed to receive the applications for registrations and licenses under the law respecting motor vehicles, the fees and other amounts payable therefor, and to issue the receipts for such fees and amounts, and the markers and badges and to perform any functions preparatory to the issue of registration certificates and licenses is, for the purposes of such law, called: M.-V. issuer, (in French: émetteur V.-M.)”;

b. By repealing paragraphs 2, 3, 4 and 5;

c. By striking out from paragraph 7 the word: “seal”, in the second line;

d. By repealing paragraph 8;

2. That the Order in Council No. 192, dated the 27th of March, 1911, be repealed;

3. That the Order in Council No. 204, dated the 23rd of February, 1918, be amended by striking out paragraph 4;

4. That the Order in Council No. 258, dated the 7th of February, 1922, be repealed.

(Certified)

A. MORISSET,

Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 700

QUEBEC, 19th OF APRIL, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING MOTOR VEHICLES

IT IS ORDERED, pursuant to paragraph 3 of article 1416 of the Revised Statutes, 1909, as amended by the act 12 George V, chapter 35, section 8, that every person driving a motor vehicle in this Province shall stop it at the following places, when a sign or indication is posted up, and allow the constable or revenue officer who is then stationed at such place, to ascertain if the provisions of the law have been observed, namely:

1.—Dundee, Trout River, Hemmingford, Lacolle, Noyau J'ct., Phillipsburg, Saint Armand, Abercorn, Mansonville, Beebe J'ct., Rock Island, Stanhope, Comins' Mills, Armstrong;

2.—Bridges: Victoria, Charlemagne, Viau, Lachapelle; Ferries: Sainte-Anne-de-Bellevue, Lachine, Longueuil, Saint-Vincent-de-Paul;

3.—Campbell's Bay, Hull, Pointe-Fortune;

4.—Valleyfield, Berthier, Three Rivers, Granby, Sherbrooke, Thetford, Beauce J'ct., Arthabaska, Sainte-Anne-de-la-Pérade, Ancienne-Lorette, Lévis Ferry, Montmagny, Sainte-Anne-de-la-Pocatière, Mont-Joli, Chandler, Roberval, Hébertville, Chicoutimi.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 366

QUEBEC, 28th OF FEBRUARY, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE EXPLOITATION OF SUGARIES ON
CROWN LANDS

Whereas, according to a report of the chief of the woods and forest service and of the chief of the bee and maple sugar service, it would be expedient to reduce the amount of the dues exacted by the Order in Council of the 23rd of March, 1920, fixing the conditions under which permits for the exploitation of sugaries on Crown lands were granted, seeing that the prices presently paid for maple sugar and maple syrup are much lower than they were a year ago;

IT IS ORDERED that the dues mentioned in paragraph "4" of the Order in Council No. 541, of the 23rd of March, 1920, be revoked and that, henceforth, the royalty collected be only five (5) cents per gallon of maple syrup and of one half ($\frac{1}{2}$) a cent per pound of maple sugar. All the other conditions of the permit shall remain in force.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 408

QUEBEC, 10th OF MARCH, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE APPROVAL OF A TARIFF OF TOLLS
FOR THE BRIDGE ON THE BATISCAN RIVER

Whereas in and by the act 10 George V, chapter 5, the Government of this Province has been authorized to have a bridge built over the Batiscan river, county of Champlain, opposite the points on both sides of the river which are the closest possible to the Montreal-Quebec road, with all the necessary approaches, abutments and works;

That this bridge is now practically completed;

That section 3 of the said act empowers the Government to charge and collect tolls on the said bridge, up to the amount expended for the acquisitions mentioned in section 2 of the said act, as well

as for the cost of construction of the said bridge, and the Lieutenant Governor in Council may make, amend and replace a tariff of tolls payable by the driver of every motor vehicle, provided no such toll shall be collected from the inhabitants of the parish of Batiscan;

That this tariff of tolls may be fixed as follows:

For one passage:

Passenger automobiles, whatever the number of persons, trucks or tractors..... 50 cts.
(with the privilege of a free return passage if made the same day).

One animal vehicles..... 10 cts.

Two animal vehicles..... 20 "

For every vehicle drawn by a tractor..... 10 "

For motor cycles..... 10 "

For motor cycles with side car..... 15 "

For every horse, bull, ox, ass, unharnessed, cow and any other head of cattle, of every kind whatever, or any other animal on foot..... 5 "

For every pig, goat, sheep, calf or lamb on foot..... 5 "

Vehicles loaded with manure exclusively are free as well as foot passengers.

Dogs and bicycles are free.

Vehicles carrying mourners following a funeral are also free.

Are also free from tolls,—every person, horse or vehicle with their drivers carrying the mails under the authority of a Post Office of His Majesty, accompanying officers or soldiers of His Majesty or of the Militia, transporting prisoners of any description.

IT IS ORDERED: that the above tariff be approved in accordance with the act 10 George V, chapter 5, section 5, and that the Government be authorized to post up, for the convenience of the public, at both ends of the bridge, the above tariff, which shall come into force on the 15th of March, 1922; the revenues of the bridge to be paid into the Treasury Department to form a fund called "Batiscan Bridge Sinking and Maintenance Fund";

That the Minister of Public Works and Labour may temporarily suspend the collection of tolls for a certain period of the year when he shall think it expedient;

That the Order in Council No. 399 of the 7th of March, 1922, be now revoked and annulled.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER

No. 531

QUEBEC, 5th OF APRIL, 1922.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE COMING INTO FORCE OF THE ACT 12
GEORGE V, CHAPTER 63

Whereas in and by section 5 of the act 12 George V, chapter 63, it is enacted that the said act shall come into force on the date the Lieutenant-Governor may be pleased to fix by proclamation;

WHEREAS it is expedient to fix the date of the said proclamation as the date of the coming into force of the said act;

THEREFORE, it is ordered that a proclamation be issued pursuant to the provisions of section 4 of the act 12 George V, chapter 63, ordering that the act 12 George V, chapter 63, intituled: "An Act to amend the Revised Statutes, 1909, concerning the retirement and the pension of Judges of Sessions and Police and District Magistrates", be in force on and from the date of the said proclamation.

(Certified)

A. MORISSET,
Clerk of the Executive Council.

(Proclamation issued the 6th of April, 1922).