

first line of paragraph 3 thereof, by the word: "forty-seven".

Short term
temporary
loans.

10. During the present state of the money market, any school corporation may, with the approval of the Lieutenant-Governor in Council, on the recommendation of the Superintendent of Public Instruction, issue bonds for shorter terms than the term of the loan as fixed in the resolution, and may establish a sinking-fund at a rate based on the term of the loan, provided that each issue subsequent to the first one be only for the balance due on the loan.

Provision to
be retroactive.

11. The provisions of section 10 shall apply to every loan contracted before the coming into force of this act by issues of bonds in the manner therein authorized.

Validation
of certain
short term
loans.

12. Every resolution adopted by any school municipality before the coming into force of this act, which provides for the issuing of bonds in the manner authorized by section 10, shall be valid, provided that the requirements of the law have been observed in all other respects.

Coming
into force.

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

CHAP. 48

An Act to amend the Revised Statutes, 1909, the Revised Statutes, 1888, and the Quebec Municipal Code, respecting municipal affairs

[Assented to, 19th of March, 1921]

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

R. S., 2728c,
am.

1. Article 2728c of the Revised Statutes, 1909, as replaced by the act 8 George V, chapter 28, section 3, is amended by inserting therein, after the word: "prescribed", in the second line of the second paragraph thereof, the words: "Comptroller of Provincial Revenue, as well as".

R. S. 5258a,
enacted.

2. The following article is inserted in the Revised Statutes, 1909, after article 5258 thereof:

Continua-

"5258a. Every by-law, resolution, order, roll or *procès-*

verbal which governed the territory before its erection as a city or town municipality, and every contract entered into by the former corporation, shall continue in force; and the council of the new municipality shall be vested, in respect thereof, with the same powers and subject to the same obligations as the council of the former municipality, saving any provision to the contrary in any special act."

3. Article 5271 of the Revised Statutes, 1909, is amended R. S., 5271, by inserting therein, after the first paragraph thereof, the following paragraph:

"Pending such election, unless some special provision is made by the charter, the mayor and officers of the municipal council then in office shall continue to hold their offices for current affairs until replaced according to law."

4. Article 5363 of the Revised Statutes, 1909, is amended R. S., 5363, by inserting therein, after the word: "nomination", in the third line of paragraph 8 thereof, the words: "such person, however, may be appointed secretary-treasurer, municipal inspector, auditor, assessor or special superintendent".

5. Article 5685 of the Revised Statutes, 1909, as amended by the acts 1 George V (2nd session), chapter 38, section 1, and 9 George V, chapter 59, section 4, is again amended by striking out the words: "certain industrial establishments according to the provisions of articles 5922 and 5923, and", in the second, third and fourth lines of sub-paragraph *d* of paragraph 4 thereof.

6. Article 5686 of the Revised Statutes, 1909, as amended by the act 8 George V, chapter 60, section 6, is again amended by adding thereto the following paragraph:

"The husband of any woman separate as to property who is a municipal elector according to paragraph 2 of article 5368, shall be considered as having the quality of proprietor required under this article to give the right to vote upon the by-law."

7. Article 5731 of the Revised Statutes, 1909, is amended by replacing the words: "lot de ville", in the fourth line of the second paragraph of the French version thereof, by the words: "lot à bâtir".

8. Article 5775 of the Revised Statutes, 1909, is amended by replacing the words: "articles 5929 and following", in the first line thereof, by the words: "article 5929".

R. S., 5778, am. **9.** Article 5778 of the Revised Statutes, 1909, as replaced by the act 8 George V, chapter 28, section 4, is amended by inserting therein, after the word: "prescribed", in the second line of the second paragraph thereof, the words: "the Comptroller of Provincial Revenue, as well as".

R. S., 5782b, enacted. **10.** The following article is inserted in the Revised Statutes, 1909, after article 5782a thereof, as enacted by the act 8 George V, chapter 60, section 10:

Husband whose wife owns immoveable property may vote on by-law.

"5782b. The husband of any woman separate as to property, who is a municipal elector according to paragraph 2 of article 5368, shall be considered as having the quality of proprietor required to give the right to vote upon any loan by-law."

R. S., 5789, am. **11.** Article 5789 of the Revised Statutes, 1909, is amended:

a. by replacing the words: "revenue of the municipality then due and exigible", in the ninth and tenth lines thereof, by the words: "total amount of the ordinary revenue collected by the municipality for the preceding year";

b. by striking out the second paragraph thereof.

R. S., 5888a, replaced. **12.** Article 5888a of the Revised Statutes, 1909, as enacted by the act 10 George V, chapter 67, section 7, is replaced by the following:

Approval of loan by-laws.

"5888a. Every by-law passed by the council of any city, town or other municipality governed by a special act, and ordering a loan or a bond issue, must, in order to have any force or effect, and to come into force, be approved by the municipal electors who are owners of taxable immoveable property in the municipality, and by the Lieutenant-Governor in Council, in accordance with the provisions of the Cities and Towns' Act.

Application of article.

This article shall not apply to the cities of Quebec and Montreal, but shall apply to every other city or town in the Province, notwithstanding any contrary or incompatible provision in its charter."

R. S., 5922 and 5923, repealed. **13.** Section eleventh of chapter second of title eleventh of the Revised Statutes, 1909, comprising articles 5922 and 5923, is repealed.

R. S., 5929, am. **14.** Article 5929 of the Revised Statutes, 1909, as enacted by the act 9 George V, chapter 59, section 11, and amended by the act 10 George V, chapter 67, section 2, is again amended:

a. by inserting therein, after the word: "shall", in the third line thereof, the words: "directly or indirectly";

b. by replacing the last paragraph thereof by the following sub-paragraph:

"d. by granting any exemption from taxation or commutation of taxes to any industrial or commercial establishment."

15. The Revised Statutes, 1909, are amended by inserting therein, after article 5932 thereof, the following article: R. S., 5932a, enacted.

"**5932a.** No municipal corporation may, after the fiscal year current upon the 19th of March, 1921, levy a tax upon any agent or representative of an insurance company or mutual benefit association." Municipalities may not tax insurance agents, etc.

16. Article 5953 of the Revised Statutes, 1909, as amended by the act 8 George V, chapter 20, section 14, is again amended by striking out the words: "Minister of Municipal Affairs, and to the", in the fifth line thereof. R. S., 5953, am.

17. Article 4406 of the Revised Statutes, 1888, as amended by the act 8 George V, chapter 60, section 26, is again amended by adding thereto the following paragraph: R. S., 1888, art. 4406, am.

"Every husband qualified, under paragraph 2 of article 4227, as elector in virtue of property belonging to his wife, shall be considered as having the quality of proprietor required under this article to give the right to vote upon the by-law." Husband whose wife owns immoveable property may vote on by-law.

18. Article 4525 of the Revised Statutes, 1888, as replaced by the act 8 George V, chapter 28, section 2, is amended by inserting therein, after the word: "prescribed", in the second line of the second paragraph thereof, the words: "the Comptroller of Provincial Revenue, as well as". R. S. 1888, art. 4525, am.

19. The following article is inserted in the Revised Statutes, 1888, after article 4530a thereof, as enacted by the act 9 George V, chapter 59, section 19: R. S. 1888, art. 4530b, enacted.

"**4530b.** Every husband qualified, under paragraph 2 of article 4227, as elector in virtue of property belonging to his wife, shall be considered as having the quality of proprietor required under this article to give the right to vote upon any loan by-law." Husband whose wife owns immoveable property may vote on by-law.

Mun. Code, art. 28, replaced. **20.** Article 28 of the Quebec Municipal Code is replaced by the following:

Annexation of certain territory to municipalities. **"28.** The Lieutenant-Governor may, by proclamation, upon the application of the county council or of any interested party, annex to a local neighboring municipality, of the same county, any territory or piece of territory which is not organized or any territory organized as a township, but which does not conform to the conditions required to be constituted a municipality."

Mun. Code, art. 47, replaced. **21.** Article 47 of the Quebec Municipal Code is replaced by the following:

Names of various kinds of municipalities. **"47.** The name of a municipality, erected under article 30, 31 or 32, as the case may be, is: "Municipality of the parish of (*name of the parish*), of the township of (*name of the township*) of the North (South, East, or West, as the case may be) part of the parish of or of the township of (*name of the parish or of the township, as the case may be*)."

The name of a village municipality is: "Municipality of the village of (*name mentioned in the proclamation*)".

The name of a municipality of united townships is: "Municipality of the united townships of (*names of the townships*)".

The name of any other rural municipality erected by proclamation of the Lieutenant-Governor, in accordance with article 35, is: "Municipality of (*name mentioned in the proclamation*)".

Mun. Code, art. 47a, enacted. **22.** The Quebec Municipal Code is amended by inserting therein, after article 47 thereof, the following:

Division of Municipalities of united townships in certain case. **"47a.** Whenever each of the townships composing a municipality of united townships has a population of at least three hundred souls, the Lieutenant-Governor, upon petition signed by a majority of the proprietors of immoveable property, from all or from one township only, may, subject to the provisions of article 45 and of articles 50 and following, abolish the municipality of the united townships and erect each such township into a municipality, under the name of : "Municipality of the township of (*name of the township*)".

Mun. Code, art. 320, amended. **23.** Article 320 of the Quebec Municipal Code, as amended by the act 10 George V, chapter 67, section 5, is again amended by adding thereto, after paragraph 5 thereof, the following paragraph:

Another election **"Nevertheless the Lieutenant-Governor, instead of making the appointment in any of the cases mentioned by**

paragraph 1 of this article, may fix another date for the holding of the election, and, if the election be not held at the date so fixed, may make such appointment.”

24. Section XI of chapter II of title XV of the Quebec Municipal Code, including the title of such section and article 402 of such code, are replaced by the following:

“SECTION XI

“PROHIBITION OF THE SALE OF ALCOHOLIC LIQUOR

“402. Subject to the Alcoholic Liquor Act, every local corporation may make, amend or repeal by-laws to prohibit the sale of alcoholic liquor.

25. Article 408 of the Quebec Municipal Code, as amended by the act 10 George V, chapter 82, section 2, is again amended by inserting therein, after paragraph 5 thereof, the following:

“5a. To provide for the installation and operation of lighting, heating or power development systems, by means of gas or electricity, for the requirements both of the public and of individuals or corporations requiring the same in their houses, buildings or establishments.

The council is vested with all the powers necessary for the above purposes. It may, by by-law, fix the price of gas or electricity supplied to individuals or corporations; it may likewise, in order to meet the interest on the money expended and to create a sinking-fund therefor, impose upon all the taxable immoveable property of the whole or of any part of the municipality, a special annual tax, the allotment of which shall be based upon the valuation roll in force at the time it is imposed.

But whenever the revenue of the system exceeds, in any year, the cost of its operation and of its upkeep, the council may employ the excess of receipts over expenses to pay the interest, or may pay it into the sinking-fund, and, during the next year, decrease by so much the tax on immoveables imposed for such purpose, or even suspend the collection thereof if the surplus revenue be sufficient for the interest and the sinking-fund premium,—and that by means of a simple resolution.”

26. The following article is inserted in the Quebec Municipal Code, after article 408 thereof, as amended by the act 10 George V, chapter 82, section 2, and by section 25 of this act:

Husband whose wife owns immoveable property may vote on by-law. **"408a.** Every husband qualified as elector in virtue of property belonging to his wife, according to paragraph 3 of article 243, shall be considered as having the quality of proprietor required under article 408 to give the right to vote upon a by-law."

Mun. Code, art. 413, am. **27.** Article 413 of the Quebec Municipal Code is amended by adding thereto the following paragraph:

Roads in neighboring municipality. **"8.** To take charge of and assume responsibility for any road situated in a neighboring municipality, whenever it is interested in the repairing, improvement or maintenance of such road.

Approval of by-law. Such by-law, before coming into force, must be approved by the majority, in number and value, of the municipal electors who are proprietors of real estate, who will be bound, under such by-law, to contribute to the cost of the improvement and maintenance of such road, and who have voted upon such by-law, and also by the council of the municipality in which the road is situated, and by the Lieutenant-Governor in Council.

Expense of maintenance, etc. Any road so taken over shall be at the charge of the corporation, even though the roads in such municipality be at the charge of the ratepayers, and the expenses of improvement, repair and maintenance, shall be levied by means of a tax imposed upon the taxable immoveable property in the whole municipality or in such part of the municipality as is mentioned in the by-law.

Contents of by-law. The by-law must state whether the expenses incurred in connection with the said road shall be at the charge of the whole municipality or of a part thereof only; in the latter case, the part of the municipality so obligated must be clearly indicated, and only the property-owners of such territory shall be entitled to vote upon the by-law.

Repeal of by-law, etc. With the approval of the property-owners liable for the expenses in connection with the said road, the council which has passed the by-law may repeal it, and hand over the road to the charge of the municipality in which it is situated at that date, without the consent of the latter, provided that the road be in good condition."

Mun. Code, art. 627a, am. **28.** Article 627a of the Quebec Municipal Code, as enacted by the act 9 George V, chapter 59, section 25, is amended by replacing the word: "twentieth", in the eighth line of the second paragraph thereof, by the word: "twenty-fifth".

Mun. Code, art. 758, am. **29.** Article 758 of the Quebec Municipal Code, as replaced by the act 8 George V, chapter 60, section 19, is amended by adding thereto the following paragraph:

"Every husband qualified as elector in virtue of property belonging to his wife, according to paragraph 3 of article 243, shall be considered as having the quality of proprietor required to give the right to vote upon any loan by-law."

Husband
whose wife
owns im-
moveable
property
may vote on
by-law.

30. Article 767 of the Quebec Municipal Code, as amended by the act 8 George V, chapter 28, section 6, is amended by inserting therein, after the word: "prescribed", in the second line of the third paragraph thereof, the words: "the Comptroller of Provincial Revenue, as well as".

Mun. Code,
art. 767, am.

31. Every by-law adopted in the past by any municipal council for any of the purposes mentioned in section 25 of this act, is declared to be legal and valid; but this provision shall not affect pending cases.

Validation
of by-laws.
Pending ca-
ses.

32. The provisions of sections 5, 13 and 14 shall not apply when a council, under the law in force at that time, has, before the coming into force of this act, taken measures, or begun negotiations with any person, firm or company, respecting the establishment of an industry in the municipality with the condition of exemption from or commutation of municipal taxes, provided that every by-law to that effect has been previously authorized by the Lieutenant-Governor in Council.

Application
of certain
provisions.

33. Section 34 of the act 8 George V, chapter 60, as amended by the acts 9 George V, chapter 59, section 30, and 10 George V, chapter 67, section 8, shall remain in force until the 1st of May, 1922.

8 Geo. V,
c 60, s. 34,
to remain in
force.

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

Coming
into force.

C H A P. 49

An Act respecting the Montreal Catholic School Commission

[Assented to, 19th of March, 1921]

WHEREAS the Montreal Catholic School Commission Preamble, has, by its petition, represented:

That it is necessary for it to acquire fresh school sites, to acquire and construct new school-houses, some of which are already in course of construction; to enlarge and improve the schools already existing, and to that end,