

land, to pay the municipality a special yearly tax determined in the following manner:

*a.* A sum of fifty dollars for every person or company not mining on his or its own land, or paying less than ten thousand dollars in wages to his or its employees, yearly;

*b.* An additional sum of one hundred dollars for every ten thousand dollars of wages paid to the employees, provided the total amount of the tax does not exceed five hundred dollars.

Exemption  
from other  
special taxes.

2. The persons and companies subject to this special tax shall be exempt from any other special tax respecting their mining operations."

5 Ed. VII, c.  
48, s. 26,  
repealed.

2. Section 26 of the act 5 Edward VII, chapter 48, is repealed.

R. S., 5683,  
replaced for  
the city.

3. Article 5683 of the Revised Statutes, 1909, is replaced, for the city, by the following:

By-laws.

"**5683.** The council may make, amend and repeal by-laws:

Nuisances.

1. To define what shall constitute a nuisance and to abate the same, and to impose fines on all persons who may create, continue or suffer such nuisances to exist;

Sparks, etc.

2. To declare the emission of sparks, dust from the asbestos mills, cinders, soot or smoke from chimneys, stacks and other sources within the municipality, a nuisance, and to compel the owners to adopt the necessary means and apparatus for preventing such emission;

Bells, etc.

3. To regulate or prohibit the use of bells and chimes, the blowing of whistles and the making of other noises; the ringing of bells and whistling of locomotives and steamboats, and the discharge of steam, smoke, cinders and sparks therefrom."

Coming  
into force.

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

## CHAP. 122

An Act to amend the charter of the town of La Tuque, and to grant it further powers

[Assented to, 19th of March, 1921]

Preamble.

**W**HEREAS the corporation of the town of La Tuque has, by its petition, represented that it is in the interest of the ratepayers and of the proper administration

of the municipal affairs of the town, that its charter, the act 1 George V (2nd session), chapter 69, as amended by the acts 2 George V, chapter 70, and 4 George V, chapter 86, be further amended for the above object, and that new powers be granted it;

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.** Section 3 of the act 4 George V, chapter 86, is replaced by the following: 4 Geo. V, c. 86, s. 3, replaced.

**3.** Article 5373 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5373, replaced, for the town.

**5373.** No person qualified to vote as proprietor, tenant or occupant, shall be entitled to have his name entered on the electors' list for any of the wards of the municipality who, on the first day of March next preceding the expiration of the delay mentioned in article 5374, is indebted to the municipality for any taxes or water-rates (special taxes excepted). Payment of taxes a condition precedent to being entered on list.

This article shall deprive the proprietor of the right to be entered on the list for the ward only in which such taxes become due." Proviso.

**2.** Article 5299 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5299, replaced, for the town.

**5299.** The corporation shall be represented and its affairs administered by its council and a manager as hereinafter provided." City government.

**3.** The following section is inserted after section 10 of the act 1 George V (second session), chapter 69: 1 Geo. V, (1911), c. 69, ss. 10a-10g, enacted.

"SECTION IVa

THE MANAGER

**10a.** The town shall have an officer called "manager" whose duty shall consist in administering its affairs and in being its executive officer. Manager.

**10b.** His appointment shall be made by the council in accordance with an agreement between the town, represented by its council, and the Brown Corporation, and, in the event of there being no agreement about the choice, his appointment shall be made by the Quebec How appointment to be made.

Public Service Commission as set forth more at length in the agreement between the town of La Tuque and the said Brown Corporation, made on the 21st of December, 1920, which agreement, annexed to this act as schedule A, is ratified, confirmed, declared valid, legal and binding for all lawful purposes, and shall form part of this act.

Residence,  
etc.

“**10c.** He shall reside in the municipality while holding office. He must know both the official languages.

Term of  
office.

“**10d.** His appointment shall be for four years. He may resign by giving notice to the council three months in advance.

Dismissal  
before  
expiration  
of term.

The advisability of dismissing the manager before the expiration of his term of office, on a complaint by the council of the town of La Tuque or of the Brown Corporation in connection with the administration of the said manager, shall be settled by an agreement between the town, represented by the majority of its whole council, and the Brown Corporation, and, in the event of an agreement not being come to on the matter, the question shall be referred to and decided by the Quebec Public Service Commission, as stated more at length in the agreement Schedule A.

Three  
months’  
notice.

The manager shall have the right to be given three months’ notice of his dismissal before discontinuing his duties.

Manager to  
take oath.

“**10e.** After his appointment and before entering into office, the manager must take an oath to well and faithfully perform the duties of his office, in accordance with form A of The Cities and Towns’ Act.

Security.

He must also give security to an amount fixed by resolution of the council.

Duties of  
manager.

“**10f.** The manager shall be the executive officer of the corporation, be responsible to the mayor and council, and shall, under their control, supervise and direct all its affairs, services and works.

Corres-  
pondence;

The duties and powers of the manager shall be as follows:  
*a.* to take communication of all correspondence, and communications addressed to the corporation, and see that they be properly dealt with by its officers;

Pay lists;

*b.* to examine and sign the weekly pay lists, if they are correct, and report to the committees respectively in charge of the various departments;

Examina-  
tion of  
accounts;

*c.* to examine all accounts payable, and, if they are correct, initial them, after they have been checked by the

treasurer's department, and report thereon for final payment to each committee respectively;

d. in coöperation and in concert with the heads of the departments, to prepare for each regular committee meeting a full report of the work done during the previous month, with suggestions and recommendations as to the work to be undertaken for the following month;

e. to examine and, if they are correct, certify all orders for the purchase of supplies, and report to each committee respectively;

f. jointly with the heads of departments, to prepare all annual estimates, and report to each committee respectively;

g. jointly with the heads of departments, to draw up plans and specifications for work to be done by contract, submit such plans and specifications to the council for approval, and publish the necessary notices calling for tenders;

h. to open all tenders for work to be done by contract, in the presence of the members of the council assembled, and if necessary recommend the tenders that should be accepted. All tenders must be opened at the same time;

i. to carefully study all the by-laws of the town, including the by-laws for loans and the orders of the council, and see to their being observed and carried out;

j. to see that every sum of money voted by the council is used for the purpose for which it is voted;

k. to investigate all complaints and claims which may be made against the corporation, and report thereon to the committee in charge, as the case may be, or to its chairman;

l. to study the various needs and interests of the corporation and make suggestions having for effect the promoting of greater economy and efficiency in the service as well as the welfare of the town and its citizens;

m. after consulting with the chairman of any committee, to call a special meeting of such committee, if he deems it advisable;

n. to be present at all meetings of the council and committees with the right to speak thereat, with the consent of the chairman, but not to vote.

The manager shall be bound to give the council and its committees all information they may request in connection with his administration and that of the town.

**10g.** All officers and employees of the corporation, Appoint-

ment of  
officers of  
corporation.

with the exception of the secretary, shall be appointed by the manager of the town, and may be removed by him at any time."

Coming  
into force.

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

## SCHEDULE A

MEMORANDUM of the agreements made and entered into on the 21st of December, 1920.

BETWEEN

THE TOWN OF LA TUQUE, a body politic and corporate herein represented by Donat Émile Hardy, the mayor, and Paul Riberdie, the secretary-treasurer, herein-after called "the Town",

*Party of the first part,*

AND

THE BROWN CORPORATION, a body politic and corporate, having its head office in Quebec and its place of business in the said town of La Tuque, herein represented by Simmons Brown,

*Party of the second part,*

Whereas by resolution dated the fifteenth day of November, 1920, the party of the first part decided to submit, for the approval or disapproval of the municipal electors of the town of La Tuque, the idea of confiding the administration of the affairs of the town to a manager;

Whereas on the 17th of November, 1920, notices in the form of circulars were distributed to all the ratepayers of the town, informing them that, when they would be called upon to vote on the by-law for a loan of an amount of \$250,000.00, on the 22nd or 23rd of November, 1920, they would also be called upon to pronounce themselves for or against the idea of engaging a municipal manager;

Whereas, at the said dates of the 22nd and 23rd November, 1920, out of two hundred and sixty-five proprietors of immoveables in the town of La Tuque who voted on the question of engaging a municipal manager, two hundred and forty-six voted affirmatively while nineteen voted in the negative;

Whereas the Brown Corporation, which is the vital industry of the town of La Tuque and is itself favourable to the administration of the municipal affairs by a manager, offers to pay annually into the municipal treasury, besides the taxes it now pays, an annual additional sum of (\$10,000.00) ten thousand dollars, out of which the manager's salary shall be paid and the remainder used for defraying the cost of municipal administration, provided the said Brown Corporation shall have the right to be consulted in connection with the appointment and choice of the municipal manager;

Whereas the town of La Tuque is disposed to avail itself of the Brown Corporation's offer under the conditions imposed by the latter and, at a regular general meeting of the town council held at La Tuque on the 20th day of December, 1920, the council adopted a resolution accepting the Brown Corporation offer;

And whereas the parties are desirous of confirming the agreement so concluded between them;

Therefore the present agreement witnesseth that:

1. The town shall have an officer called "manager" whose duties shall consist in administering its affairs and be its executive officer. His appointment shall be made by agreement between the town and the Brown Corporation and if they cannot agree upon a choice, his appointment shall be made by the Public Utilities' Commission of the Province of Quebec upon the application of either of the parties. Upon either party requesting the replacement of the manager and not being able to agree, the matter shall be referred in the same manner to the Quebec Public Utilities' Commission, who shall decide upon the question of replacement and appointment of a successor.

2. The Brown Corporation shall pay to the town every year over and above its annual taxes, an additional annual amount of (\$10,000.00) ten thousand dollars, out of which the salary of the manager shall be paid as shall have been established by mutual agreement or by the Quebec Public Utilities' Commission as above provided; such salary shall however not exceed (\$5,000.00) five thousand dollars a sufficient amount out of the balance of the \$10,000.00 shall be used for defraying the office expenses of the manager and if there be any further balance it shall be used for defraying the expenses of municipal administration during the same year;

3. This agreement shall have full force and effect between the parties therein mentioned during a period of nine years, to wit from the 1st of May, 1921, to the 1st of May, 1930.

In testimony whereof the parties have signed these presents duly read by their respective officers duly authorized for the purposes thereof, at La Tuque, on the day month and year herein first above written.

THE TOWN OF LA TUQUE.

(Signed) DONAT EMILE HARDY,  
*Mayor.*

ALPHONDOR ROY.  
Witness:

PAUL RIBERDY,  
*Secretary-treasurer.*

E. ROMULUS E. LARUE

SIMMONS BROWN, *Agt.*

Witness:

Brown Corporation.

## CHAP. 123

An Act to consolidate the charter of the town of Aylmer

[Assented to, 19th of March, 1921]

Preamble.

**WHEREAS** the corporation of the town of Aylmer has, by its petition, represented that it is expedient to revise and consolidate the various special acts governing it, to submit it to the provisions of the Cities' and Towns' Act and to grant it certain further powers;

And whereas it is expedient to grant the prayer of 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:

### SECTION I

#### INCORPORATION

Town of Aylmer.

**1.** The inhabitants and ratepayers of the town of Aylmer, as described in this act, and their successors, are hereby constituted a town corporation under the name of "The town of Aylmer".

Provisions to apply.

**2.** The town of Aylmer shall be governed by the Cities' and Towns' Act, except in cases where this act otherwise enacts.