

act, if they have followed, during such year, the course Proviso. given in the school of surveying, and if, during the present year, they have placed themselves under indenture with a surveyor.

4. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

CHAP. 59

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

[Assented to, 17th of March, 1919]

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

- 1.** Article 5268 of the Revised Statutes, 1909, is amended: R.S., 5268,
 - a. By striking out the words: "if it contains at least ^{am.} fifteen hundred souls", in the fourth and fifth lines thereof;
 - b. By striking out the words: "or town", in the second line of paragraph 2 thereof.

- 2.** The following article is inserted in the Revised Id., 5615a, Statutes, 1909, after article 5615: enacted.

"5615a. If after the second day of the poll the number ^{Voting to be} of votes required by article 5782, 5783, or 5784, as the ^{adjourned} case may be, have not been recorded, the person presiding ^{to next day,} shall adjourn the voting to conclude it on the following ^{in certain} day, if an application to that effect is made to him in ^{case.} writing by the mayor, by a councillor or by three proprietors of immoveable property who are municipal electors, before six o'clock in the afternoon of the same day."

- 3.** Article 5684 of the Revised Statutes, 1909, is amended Id., 5684, by replacing the words: "and to aid charitable institutions ^{am.} established in the municipality or its neighbourhood", in the third and fourth lines of paragraph 6, by the words: "and to subsidize hospitals or charitable institutions established in the municipality or elsewhere in the Province".

Id., 5685,
am.

4. Article 5685 of the Revised Statutes, 1909, as amended by the act 1 George V (2nd session), chapter 38, section 1, is again amended by striking out the words: "or, subject to the provisions of articles 5929, 5930, and 5931, any manufacturing establishments", in the third and fourth lines of paragraph 4 thereof.

Id., 5777,
replaced.

5. Article 5777 of the Revised Statutes, 1909, as amended by the acts 4 George V, chapter 49, section 1, and 8 George V, chapter 60, section 7, is replaced by the following:

Sinking-
fund.

"5777. Whenever the council contracts a loan, it must provide, without delay, out of the revenues of the municipality, for the payment of the annual interest and for the establishment of a sinking-fund sufficient to redeem such loan at maturity, for every such loan. The interest shall not at any time exceed six per cent, and the rate of such interest must be fixed by the by-law."

Interest.

Id., 5779a,
enacted.

6. The following article is inserted in the Revised Statutes, 1909, after article 5779, as enacted by the act 8 George V, chapter 60, section 8:

Bonds to be
sold by
tender.

"5779a. 1. Unless another previous authorization has been granted by the Minister of Municipal Affairs, no municipal corporation may sell the bonds it is authorized to issue under a by-law, otherwise than by written tender, after a public notice published in *The Quebec Official Gazette* at least fifteen days before the date when the tenders are to be taken into consideration, at a public sitting of the council of the municipality or of one of its committees.

• Cheque to
accompany
tender.

2. Every tender must be accompanied by an accepted cheque equal to one per cent of the amount of the loan. After the tenders have been examined, the cheques deposited by the tenderers whose tenders have not been accepted shall be handed back to them without delay; that of the tenderer whose tender is accepted shall be returned to him after the execution of his contract.

Accrued
interest.

3. Every tender must specify whether the price offered does or does not include the interest accrued on the bonds at the time of their delivery.

However, a tender which does not contain such a statement may be accepted by the council if it appears to be more beneficial, provided, in such case, that the acceptance by the council be approved by the Minister of Municipal Affairs."

Id., 5782,
am.

7. Article 5782 of the Revised Statutes, 1909, as enacted

by the act 8 George V, chapter 60, section 10, is amended by inserting therein, after the words: "voted upon", in the third line thereof, the words: "(a) in the case of a city or town having two thousand or more than two thousand owners of taxable immoveable property who are municipal electors, by at least one-tenth; (b) in the case of a city or town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least fifteen one-hundredths; and (c) in the case of any other municipality,".

8. Article 5783 of the Revised Statutes, 1909, as Id., 5783, enacted by the act 8 George V, chapter 60, section 11, is ^{am.} amended by inserting therein, after the words: "is voted upon", in the fifth line thereof, the words: "(a) in the case of a city or town having two thousand or more than two thousand owners of taxable immoveable property who are municipal electors, by at least one-fifth; (b) in the case of a city or town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least one-fourth; and (c) in the case of any other municipality,".

9. Article 5784 of the Revised Statutes, 1909, as enacted Id., 5784, by the act 8 George V, chapter 60, section 12, is ^{am.} amended by inserting therein, after the words: "voted upon", in the fourth line thereof, the words: "(a) in the case of a city or town having two thousand or more than two thousand owners of taxable immoveable property who are municipal electors, by at least one-fifth; (b) in the case of a city or town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least one-fourth; and (c) in the case of any other municipality,".

10. Chapter second of title eleventh of the Revised Id., 5885a, Statutes, 1909, is amended by inserting therein, after ^{enacted.} article 5885, the following section and article:

"SECTION 12.

'CERTAIN PUBLIC WORKS IN CITIES AND TOWNS

"5885a. No city or town corporation, whatever may ^{By-laws for} be the law governing it, with the exception of the cities of ^{public} Quebec and Montreal, may give out a contract for con- ^{works must} struction or improvement works nor pass a contract to that ^{appropriate} effect, unless the by-law authorizing the contract or money.

ordering the work has provided for the appropriation of the moneys required for paying the cost of the same.

And provide for special tax, unless money in general funds.

If the corporation has not in its general funds, not otherwise appropriated, the amounts required for this purpose, the by-law must provide for the imposing of a special tax upon the whole municipality or upon the proprietors liable for the cost of such works, as the case may be, or for a loan, and in such case the by-law must comply with all the conditions and formalities required by law regarding municipal loans.

Exception.

Nevertheless when the corporation is bound by law to obey an order of the board of health requiring certain work to be done within a specified delay, it may carry out such order and borrow the necessary moneys without observing the prescriptions of this article; and as a rule this article shall not apply in special cases otherwise provided for by law.

Infringing contracts to be null.

Contracts entered into contrary to the foregoing provisions, shall be void and shall not bind the corporation, and any ratepayer may obtain a writ of injunction against the corporation and the contractor to prevent the execution of the work.

Penalty for council members.

Any infringement of the provisions of this article shall render each member of the council, at fault, liable to a fine of not more than five hundred dollars.

Exception.

In case of urgency, however, the Lieutenant-Governor may allow a municipal council to derogate from the provisions of this article."

Id., 5929, replaced.

11. Article 5929 of the Revised Statutes, 1909, is replaced by the following:

Aid by municipality forbidden.

"5929. Notwithstanding any contrary or incompatible provision in any general or special act, no municipality shall assist any industrial or commercial establishment, or, without in any way limiting the generality of the foregoing words, grant assistance more particularly in any of the following ways, to wit:

- a. by taking or subscribing for shares in any company created for such object;
- b. by giving or lending money or other security, or in giving the use or ownership of any immoveable;
- c. by guaranteeing, by endorsement or otherwise, any sum of money borrowed.

Exception.

It shall, however, be lawful for any city or town municipality to grant exemption from taxation to any industrial or commercial establishment, according to law."

12. Articles 5930 and 5931 of the Revised Statutes, Provisions 1909, are repealed. repealed.

13. Article 4404 of the Revised Statutes, 1888, as R.S., 1888, amended by the act 62 Victoria, chapter 39, section 1, is art. 4404, again amended by striking out the words: "or any manu-^{am.}facturing establishment", in the third line thereof.

14. Article 4440 of the Revised Statutes, 1888, is Id., 4440, amended by replacing the words: "and to aid charitable ^{am.}institutions in the municipality or its neighbourhood", in the third and fourth lines, by the words: "and subsidize hospitals or charitable institutions established in the municipality or elsewhere in the Province".

15. The following article is inserted in the Revised Id., 4526a, Statutes, 1888, after article 4526 as enacted by the act 8 ^{enacted.}George V, chapter 60, section 27:

"**4526a.** 1. Unless another previous authorization has ^{Bonds to be} been granted by the Minister of Municipal Affairs, no ^{sold by} municipal corporation may sell the bonds it is authorized ^{tender.} to issue under a by-law, otherwise than by written tender, after a public notice published in *The Quebec Official Gazette* at least fifteen days before the date when the tenders are to be taken into consideration at a public sitting of the council of the municipality or of one of its committees.

2. Every tender must be accompanied by an accepted ^{Cheque to} cheque equal to one per cent of the amount of the loan. ^{accompany} After the tenders have been examined, the cheques ^{tender.} deposited by the tenderers whose tenders have not been accepted shall be handed back to them without delay; that of the tenderer whose tender is accepted shall be returned to him after the execution of his contract.

3. Every tender must specify whether the price offered ^{Accrued} does or does not include the interest accrued on the bonds ^{interest.} at the time of their delivery.

However, a tender which does not contain such a statement may be accepted by the council if it appears to be more beneficial, provided, in such case, that the acceptance by the council be approved by the Minister of Municipal Affairs."

16. Article 4529 of the Revised Statutes, 1888, as Id., 4529, enacted by the act 8 George V, chapter 60, section 29, is ^{am.} amended by inserting therein, after the words: "voted upon", in the third line thereof, the words: "(a) in the case of a town having two thousand or more than two thousand

owners of taxable immoveable property who are municipal electors, by at least one-tenth; (b) in the case of a town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least fifteen one-hundredths; and (c) in the case of any other municipality,”.

Id., 4529a,
am.

17. Article 4529a of the Revised Statutes, 1888, as amended by the act 8 George V, chapter 60, section 30, is amended by inserting therein, after the words: “is voted upon”, in the fifth line thereof, the words: “(a) in the case of a town having two thousand or more than two thousand owners of taxable immoveable property who are municipal electors, by at least one-fifth; (b) in the case of a town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least one-fourth; and (c) in the case of any other municipality,”.

Id., 4530.
am.

18. Article 4530 of the Revised Statutes, 1888, as enacted by the act 8 George V, chapter 60, section 31, is amended by inserting therein, after the words: “voted upon”, in the fourth line thereof, the words: “(a) in the case of a town having two thousand or more than two thousand owners of taxable immoveable property who are municipal electors, by at least one-fifth; (b) in the case of a town having less than two thousand but more than one thousand owners of taxable immoveable property who are municipal electors, by at least one-fourth; and (c) in the case of any other municipality,”.

Id., 4530a,
replaced.

19. Article 4530a of the Revised Statutes, 1888, as enacted by the act 8 George V, chapter 60, section 32, is replaced by the following:

Contents of
by-law.

“4530a. Every by-law ordering or authorizing a loan or an issue of bonds must mention the object, maturity date, and the amount of each previous loan or part thereof not yet repaid, and the object, maturity date and amount of each issue of bonds or part thereof not yet redeemed, and must also specify the rate of interest to be paid on the proposed loan and the purposes to which the sum to be borrowed is to be applied, and contain all provisions deemed requisite to ensure the proper application of the money and the attainment of the end set forth in the by-law.”

Id., 4533a,
enacted.

20. The following article is inserted in the Revised Statutes, 1888, after article 4533 thereof:

"4533a. If, after the second day of the poll, the number of votes required by article 4529, 4529a or 4530, as the case may be, have not been recorded, the person presiding shall adjourn the voting to conclude it on the following day, if an application to that effect is made to him in writing by the mayor, by a councillor or by three proprietors of immoveable property who are municipal electors, before six o'clock in the afternoon of the same day." Voting to be adjourned to next day, in certain case.

21. Section sixth-b of chapter second of title eleventh, and article 4643d, as enacted by the act 62 Victoria, chapter 41, section 1, and articles 4643e and 4643f as replaced by the act 1 Edward VII, chapter 28, sections 1 and 2, of the Revised Statutes, 1888, are repealed. Provisions repealed.

22. Article 382 of the Quebec Municipal Code is Q. M. C., amended by replacing the first paragraph thereof by the following: art. 382, a.m.

"382. The voting upon the by-law continues until six o'clock in the evening, except in the case provided for by article 382a." Hours for voting.

23. The following article is inserted in the Quebec Municipal Code, after article 382: Id., 382a, enacted.

"382a. At six o'clock in the evening, if the number of votes required by article 758 or 771, as the case may be, have not been recorded, the voting shall continue on the following day, at the same hours. Voting to be adjourned to next day, in certain case.

If, at the end of the second day, such number of votes have not yet been recorded, the presiding officer shall adjourn the voting, to conclude it on the following day, if an application to that effect is made to him in writing by the mayor, by a councillor or by three proprietors of immoveable property who are municipal electors, before seven o'clock in the afternoon of the same day." Do.

24. Article 398 of the Quebec Municipal Code, as amended by the act 8 George V, chapter 82, section 1, is again amended: Id., 398, am.

a. By adding thereto, after paragraph 1 thereof, the following paragraph:

"The local corporation may, if it deem fit, grant the aid above-mentioned by mere resolution.";

b. By replacing the words: "and to aid charitable institutions established in the municipality or in adjacent municipalities", in the fourth and fifth lines of paragraph 3 thereof, by the words: "and to aid hospitals or

charitable institutions established in the municipality or elsewhere in the Province”.

Id., 627*a*,
enacted.

25. The following article is inserted in the Quebec Municipal Code, after article 627:

By-laws for
public works
must
appropriate
money.

“**627*a*.** No contract for construction or improvement work is valid or binding upon the corporation, unless the by-law authorizing the work has provided for the appropriation of the moneys required for paying the cost of the same.

And provide
for special
tax, unless
money in
general
funds.

If the corporation has not in its general funds, not otherwise appropriated, the amounts required for this purpose, the by-law must impose a special tax upon all the taxable property or taxable immoveable property of the municipality or upon the taxable immoveables liable for the cost of such work, as the case may be, or provide for a loan in accordance with the provisions of title twentieth of this Code.

Exception.

Nevertheless, when the corporation is bound by law to obey an order of the board of health requiring certain work to be done within a specified delay, it may carry out such order and borrow the necessary moneys without observing the prescriptions of this article, and, as a rule, this article shall not apply in special cases otherwise provided for by law.

Work may
be stopped
in case of
infringe-
ment.

Any ratepayer may obtain a writ of injunction against the corporation and the contractor, to prevent the performance of the work given out by contract, contrary to the foregoing provisions.

Penalty for
council
members.

Any infraction of the provisions of this article shall render each member of the council, at fault, liable to a fine of not more than one hundred dollars.

Exception.

In case of urgency, however, the Lieutenant-Governor in Council may allow a municipal council to derogate from the provisions of this article.”

Id., 759,
replaced.

26. Article 759 of the Quebec Municipal Code, as replaced by the act 8 George V, chapter 60, section 20, is again replaced by the following:

Contents of
by-law.

“**759.** Every by-law ordering or authorizing a loan or an issue of bonds must mention the object, maturity date and the amount of each previous loan or part thereof not yet repaid, and the object, maturity date and amount of each issue of bonds or part thereof not yet redeemed, and must also specify the rate of interest on the proposed loan, and the purposes to which the sum to be borrowed is to be applied, and contain all provisions deemed re-

quisite to ensure the proper application of the money and the attainment of the end set forth in the by-law."

27. The following article is inserted in the Quebec Id., 760a, Municipal Code, after article 760: enacted.

"760a. 1. Unless another previous authorization has Bonds to be been granted by the Minister of Municipal Affairs, no muni- sold by cipal corporation may sell the bonds it is authorized to issue tender. under a by-law, otherwise than by written tender after a public notice published in *The Quebec Official Gazette* at least fifteen days before the date when the tenders are to be taken into consideration at a public sitting of the council of the municipality.

2. Every tender must be accompanied by an accepted Cheque to cheque equal to one per cent of the amount of the loan, accompany After the tenders have been examined the cheques de- tender. posited by the tenderers whose tenders have not been accepted shall be handed back to them without delay; that of the tenderer whose tender is accepted shall be returned to him after the execution of his contract.

3. Every tender must specify whether the price offered Accrued does or does not include the interest accrued on the bonds interest. at the time of their delivery.

However a tender which does not contain such a state- Exception. ment may be accepted by the council if it appears to be more beneficial, provided, in such case, that the acceptance by the council be approved by the Minister of Municipal Affairs.

28. Any municipal council which, before the coming By-laws into force of this act, has passed a loan by-law in which already the interest has not been fixed, may provide by resolution passed may for the same, provided such resolution be approved by be rectified. the Lieutenant-Governor in Council.

29. Every by-law passed before the coming into force Certain of this act, making any grant to a hospital or charitable by-laws institution established in the municipality or elsewhere in declared the Province, is hereby declared valid. valid.

30. Section 34 of the act 8 George V, chapter 60, shall 8 Geo. V., remain in force until the first of May, 1920. c. 60, s. 34, to remain in force.

31. The following section and article are inserted in R.S., 1909, by the Revised Statutes, 1909, after article 2520t as enacted art. 2520u, by the act 8 George V, chapter 20, section 3: enacted.

"SECTION IV.

"TARIFF OF DUTIES AND FEES

Tariff of
duties and
fees.

"2520u. 1. The Lieutenant-Governor in Council may make, amend, replace or repeal tariffs of duties and fees in connection with any act to be done or any document to be issued or certified by the Minister of Municipal Affairs, by the department presided over by him, or by an officer of such department, as well as by the Lieutenant-Governor or by any person under this chapter.

2. The Lieutenant-Governor in Council may also order that the duties and fees which are exigible shall be paid in advance in the cases specified by him."

Coming into
force.

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

C H A P. 60

An Act to amend the act respecting bakers, and the manufacture of bread, in certain municipalities

[Assented to, 17th of March, 1919]

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

1. Geo. V,
(1911), c. 40
s. 1, re-
placed.
How bread
to be baked.
&c.

1. Section 1 of the act 1 George V (2nd session), chapter 40, is replaced by the following:

"1. Notwithstanding any law or by-law to the contrary, all bread sold or made for sale within the limits of the Province shall be made of good, wholesome flour and be baked in loaves of twelve ounces, or twenty-four ounces, or any multiple thereof; the said bread must be of one of the weights aforesaid eight hours after having been baked, sold or exposed for sale."

Id., ss. 2 and
3, repealed.

2. Sections 2 and 3 of the said act are repealed.

City of
Quebec.

3. This act shall not apply to the city of Quebec.

Coming into
force.

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