

to compel every person residing outside the limits of the non-res-municipality who has worked for a salary within the city^{ident.} limits for fifteen days during any one year, and who wishes to work there longer without lodging and residing therein, to obtain a license from the city; and the council may fix the rate of the dues to be paid to the city for the granting of such license, which shall be valid until the 31st day of December following the issue thereof, provided such dues shall not exceed five dollars per annum.

59. The city may always issue new bonds or debentures Bond issue. to repay, from time to time, any loans existing at the time of the coming into force of this act, or which may hereafter be effected in accordance with its provisions.

Every loan, having for its object the replacing of a Resolution. portion of the funded debt, may be effected under resolutions approved by the majority of the members of the council.

60. The costs, fees and disbursements incurred for Costs of this the passing of this act shall be paid by the city of Granby. act.

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

CHAP. 71

An Act to amend the charter of the town of St. Johns, and to incorporate it as a city

[Assented to 22nd December, 1916]

WHEREAS the corporation of the town of St. Johns Preamble. has by petition represented that it is in the interest of its ratepayers to amend its charter, namely: the act 53 Victoria, chapter 71, as amended by the act 8 Edward VII, chapter 90; to grant it additional powers and to incorporate it as a city corporation; and whereas it has prayed for the passing of an act to that effect, and 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. The words: "The town of St. Johns" wherever Change of they may occur in the charter of the town of St. Johns name.

and its amendments, shall be replaced by the words: "The city of St. Johns".

53 Vict., c.
71, s. 4, am.

2. Paragraph 3 of section 4 of the charter of the town of St. Johns, is replaced by the following:

Name.

"3. The expressions "town" or "city" shall designate the city of St. Johns."

Id., ss. 25
and 26,
replaced.

3. Sections 25 and 26 of the said charter are replaced by the following:

One ward.

"**25.** The city shall form but one ward."

Id., s. 32,
replaced.

4. Section 32 of the said charter is replaced by the following:

Composition
of council.

"**32.** The council is composed of a mayor and six councillors."

Id., s. 33,
replaced.

5. Section 33 of the said charter is replaced by the following:

Quorum.

"**33.** The quorum of the council shall consist of 5 members."

Id., s. 41,
repealed.

6. Section 41 of the said charter is repealed.

Id., s. 91,
replaced.

7. Section 91 of the said charter is replaced by the following:

Assistants
for secretary
treasurer.

"**91.** The council may authorize the engagement of one or more accountants or employees to assist the secretary-treasurer in his office, and may require them to give such security as it deems sufficient. They shall be under the direction and authority of the secretary-treasurer, or his assistant"

Id., s. 92,
replaced.

8. Section 92 of the said charter is replaced by the following:

Replacing of
assistants.

"**92.** With the authorization of the council, the secretary-treasurer may dismiss and replace such accountants or employees, as well as his assistant."

Id., s. 109,
replaced.

9. Section 109 of the said charter is replaced by article 5363 of the Revised Statutes, 1909.

Id., ss. 116
and 117,
repealed.

10. Sections 116 and 117 of the said charter are repealed.

Id., s. 134,
am.

11. The following paragraph is added to section 134 of the said charter, to wit:

"5. Every person must be a British subject in order to be entitled to vote".

12. Section 152 of the said charter is replaced by the following: Id., s. 152, replaced.

"**152.** The mayor is elected for two years by the majority of the municipal electors of the city." Election of Mayor.

13. Section 153 of the said charter is replaced by the following: Id., s. 153, replaced.

"**153.** The councillors shall be elected for three years by the majority of the municipal electors of the city, and shall be elected for the seat for which they presented themselves and were nominated." Election of councillors.

Two of the councillors shall go out of office each year, and be replaced at the annual election.

For the annual election of 1917, over and above the four councillors who go out of office, the council shall, at least twenty days before nomination day, draw lots at a meeting of the council, and eliminate four other councillors, two of the four elected in 1915, and two of the four elected in 1916, who shall be replaced by two at the election, in order to reduce to six the number of the present councillors. Election of 1917.

Of the four remaining in office those first elected go out of office the following year, and so on for the future.

The seats of the councillors shall be designated by the numbers from one to six inclusively."

14. Section 158 of the said charter is replaced by the following: Id., s. 158, replaced.

"**158.** At least eight days before the nomination of candidates for the office of mayor and of councillor, the mayor, and in his default the pro-mayor, and in default of both, the secretary-treasurer, shall give public notice published and posted, in accordance with section 128 announcing such election, and calling together a general meeting of the electors for the nomination of such candidates." Notice of election.

15. Section 167 of the said charter is replaced by the following: Id., s. 167, replaced.

"**167.** The nomination-paper shall contain the names, surnames, quality and residence of each candidate, as well as the number of the seat for which he is nominated." Nomina-tion-paper.

It must be signed, in the case of mayor as well as a councillor, by at least ten qualified electors of the city."

Id., S. 168a, enacted. **16.** The following section is added after section 168 of the said charter to wit:

Consent of candidate. **"168a.** The nomination-paper shall also contain the consent of the candidate, signed by him in the presence of at least one witness."

Id., s. 172, replaced. **17.** Section 172 of the said charter is replaced by the following:

Publication of names of candidates. **"172.** The secretary-treasurer shall publish the names of the candidates nominated for each seat, and those nominated for mayor by a notice affixed to the door of his office at the City Hall, from the date of the nomination to the date of the election."

Id., s. 178, replaced. **18.** Section 178 of the said charter is replaced by the following:

Room to be divided. **"178.** The public room is in such case divided by means of screens or portable partitions into as many compartments as there are to be polls.

Separate compartments. At each of such polls, there shall be a separate compartment where the elector is screened from view and can go, without intimidation or interference from any one, to mark his ballot; and in it there must be a table or a desk with a hard and level surface, in order that the elector may mark his ballot; and a suitable black lead-pencil shall be furnished and kept properly sharpened during the whole of the time of the voting, for the use of the voters in marking their ballots."

Id., s. 179, replaced. **19.** Section 179 of the said charter is replaced by the following:

When polls are separate. **"179.** The same conditions shall exist when the polls are established in various places.

Id., ss. 180 and 181, replaced. **20.** Sections 180 and 181 of the said charter are replaced by the following:

Number of candidates to be voted for. **"180.** The electors shall vote for one of the candidates for mayor and for a candidate for the office of councillor for each seat to be filled."

Id., s. 194, replaced. **21.** Section 194 of the said charter is replaced by the following:

List of electors, &c. for each poll. **"194.** When a poll is necessary for the election of a mayor or councillor, the secretary-treasurer shall, on or before the morning of voting, give to each of the deputy-presiding-officers the list, or a copy of the list, of the elec-

tors who are entitled to vote at the polls for which the deputy-presiding-officers are appointed, and deliver to each of them a sufficient number of ballots to be used for the votes, a ballot-box to receive the ballots, a poll book, and a sufficient number of blank forms of the certificates and reports required, and everything required for a poll."

22. Section 195 of the said charter is replaced by the following: Id., s. 195, replaced.

"**195.** Such ballot-box shall be made of durable material, with a lock, and an opening in the top sufficient for the introduction of a ballot, and so constructed that the ballots cannot be withdrawn without opening the box." Ballot-box.

23. Section 196 of the said charter is replaced by the following: Id., s. 196, replaced.

"**196.** 1. The ballot of each elector shall be on printed paper, called a ballot, on which the names of all the candidates shall be entered in alphabetical order, according to their family names, and be printed exactly as shown on the nomination-paper; and the ballot shall also have a counterfoil, with a perforated line between the ballot and the counterfoil, the whole according to form S of The Cities and Towns' Act, as contained in the Revised Statutes, 1909, as now existing. Description of ballots.

2. The ballots shall be printed on good writing paper, immediately after the nomination, at the expense of the corporation through the care of the secretary treasurer, or, in his default, by the officer presiding at the election. Printed on good paper.

3. The ballots shall bear the name of the printer who has printed them. Name of printer.

4. When delivering ballots to the secretary-treasurer or to the officer presiding at the election, the printer must hand him an affidavit, stating the description of the ballots he has printed, the number of such ballots furnished, and the fact that no other ballots have been furnished by him to any person whomsoever. Affidavit of printer.

24. Section 197 of the said charter is replaced by the following: Id., s. 197, replaced.

"**197.** A special ballot paper is prepared for the election of the mayor and a separate ballot for the election of each councillor. The former shall be on white paper and the latter on colored paper." Special ballots for mayor and councillors.

Id., ss. 198, 199, 200, 208 and 209, repealed. **25.** Sections 198, 199, 200, 208 and 209 of the said charter are repealed.

Id., s. 210, replaced. **26.** Section 210 of the said charter is replaced by the following:

Ballot to be initialled. **“210.** If his name is on the list of electors for the poll at which he presents himself to vote, the elector shall receive from the deputy presiding-officer a ballot, on the back whereof the deputy presiding-officer has previously written his initials in such manner that they may be seen without opening the ballot when folded, and on the back of the counterfoil whereof he has fixed a written number corresponding to that which is set opposite the name of the elector in the poll-book.

Id., s. 212, repealed. **27.** Section 212 of the said charter is replaced by the following:

Oath or affirmation. **“212.** No ballot shall be given by the deputy-presiding-officer to any elector, who shall have refused to take the oath or affirmation mentioned in the preceding article, when thereunto required, or who, having taken the same, shall not have answered in the manner prescribed; and the vote of such elector shall be rejected, and he shall not be allowed to present himself again to vote at the same election.”

Id., s. 214, replaced. **28.** Section 214 of the said charter is replaced by the following:

Manner of voting. **“214.** The elector, on receiving the ballot from the deputy presiding-officer, shall proceed at once to use the compartment set apart for that purpose, and there he shall mark his ballot, making a cross with a black lead-pencil in the blank space containing the name of the candidate in favor of whom he wishes to vote; after which, he shall fold the ballot in such manner that the initials on its back and the number on the counterfoil may be seen without opening, and he shall hand it to the deputy presiding-officer, who, without unfolding it, shall ascertain by means of the initials and of the number on the counterfoil that it is really the ballot he gave to the elector, and, in view of all present, including the voter, shall detach the counterfoil and destroy it, and deposit the ballot in the ballot-box, which shall be placed upon the table in such manner as to be well in view of all persons present.”

Id., s. 215, replaced. **29.** Section 215 of the said charter is replaced by the following:

“215. If, by inadvertance, the elector has spoiled, injured, marked or torn the ballot handed to him, in such manner that it cannot be properly used, he shall, on returning it, obtain another ballot in its place from the deputy presiding-officer, who shall mark it as cancelled.”

Spoiled
ballots.

30. Section 216 of the said charter is replaced by the following:

Id., s. 216,
replaced.

“216. The elector must not injure or tear in any manner his ballot, or make any mark on it which may enable it to be recognized.”

No marks,
&c., on
ballot.

31. Section 219 of the said charter is replaced by the following:

Id., s. 219,
replaced.

“219. 1. The deputy presiding-officer, at the request of any elector who is illiterate, or unable through blindness or any physical infirmity to vote in the manner prescribed by the provisions of this chapter relating to elections, shall assist such elector in marking his ballot in the manner indicated to him by the elector, in the presence of the representatives of the candidates in the poll, but of no other persons, and deposit the ballot in the ballot-box.

Assistance
to voter
unable to
vote alone.

2. If the deputy-presiding-officer does not understand the language spoken by the elector who presents himself to vote, he shall swear in an interpreter who shall serve as means of communication between himself and the elector with reference to everything that may be necessary to enable such elector to vote; if an interpreter cannot be found, the elector shall not be allowed to vote.”

32. Section 221 of the said charter is replaced by the following:

Id., s. 221,
replaced.

“221. No elector shall be allowed to take his ballot out of the poll under the penalty of being *ipso facto* deprived of his vote, and further of incurring a fine not exceeding twenty dollars or imprisonment not exceeding one month, in default of payment.”

Electors not
to take
ballot out
of poll.

33. Section 228 of the said charter is replaced by the following:

Id., s. 228,
replaced.

“228. Whoever fraudulently puts or attempts to put in a ballot-box any paper other than the ballots which he is authorized by law to put in, any paper or object for the purpose of causing such elector to lose his vote, incurs, for such offence, a fine not exceeding one hundred dollars, or, in default of payment, an imprisonment not exceeding three months.”

Penalty for
certain
offences as
to ballot,
&c.

Id., s. 230, replaced. **34.** Section 230 of the said charter is replaced by the following:

Counting of votes. **"230.** Immediately after the close of the voting, which takes place at half past five o'clock in the afternoon, the deputy presiding-officer, in the voting-room and in presence of the poll clerk, and of the candidates or their agents, or in the absence of any one of the candidates or their agents, in the presence of at least three electors, opens the box containing the ballots; he counts such ballots, which he examines and a statement whereof he causes to be made by the poll-clerk, and afterwards replaces in the ballot-box."

Id., s. 231, replaced. **35.** Section 231 of the said charter is replaced by the following:

Ballots to be rejected. **"231.** The deputy presiding-officer, in reading and counting the votes, shall reject:

1. All the ballots not supplied by him.
2. All those bearing any written words or any mark or indication which might give information as to those who give them;
3. All those by which more votes are given than each elector could give on the same ballot;
4. All those left blank or which are void as uncertain."

Id., s. 232, replaced. **36.** Section 232 of the said charter is replaced by the following:

Ballots counted, and statement, &c., replaced in box. **"232.** After all the ballots have been counted, and the statement hereinafter mentioned of the number of votes given for each candidate and of the number of ballots rejected, has been made and verified, as well as a statement of all the ballots not rejected, such ballots are made up in separate parcels, as well as the ballots objected to.

Each parcel is designated, as the case may be, by the following words: "ballots counted," "ballots rejected" and "ballots objected to".

All these parcels, after having been endorsed, so as to indicate their contents, shall be put back into the ballot-box.

Within one hour from the closing of the poll, the deputy presiding-officer shall make a report to the presiding-officer stating the number of the votes given to each candidate and the number of ballots rejected."

Id., s. 233, replaced. **37.** Section 233 of the said charter is replaced by the following:

233. The deputy presiding-officer shall note any objections made by any candidate, his agent or an elector present to any ballot, and shall decide any questions arising out of the objection. Objections noted and decided.

His decision shall be final, and can only be reversed by a petition contesting the election or return.

Each objection shall be numbered, and a corresponding number placed on the back of the ballot and initialed by the deputy-presiding-officer."

38. Section 234 of the said charter is replaced by the following: Id., s. 234, replaced.

234. The deputy presiding-officer shall make out a statement indicating the number of the:

1. Accepted ballot papers;
2. Votes given to each candidate;
3. Rejected ballots;
4. Ballots objected to.

He shall make and keep a copy of such statement and enclose the original in the ballot-box."

39. Section 240 of the said charter shall be replaced by the following: Id., s. 240, replaced.

240. After the examination of the ballots the president of the election shall declare and proclaim elected the candidate for the office of mayor who has received the greatest number of votes, and for each councillor's seat the candidate who obtains the greatest number of votes for that seat. Declaration of presiding officer.

This declaration is produced before the council to become part of its archives.

40. Section 296 of the said charter is replaced by the following: Id., s. 296, replaced.

296. The by-laws shall be published after they are passed, in accordance with the provisions of section 128. By-laws published.

41. Section 304 of the said charter is replaced by the following: Id., s. 304, replaced.

304. The general meeting of such electors who are proprietors of immoveables shall be summoned, at least eight days in advance, by public notice, signed by the mayor, on a day fixed by the council, in the public municipal hall, at ten o'clock in the forenoon. Such notice shall be published in two newspapers published in the city, one in the French and the other in the English language, or, Notice of meeting.

in default thereof, in a single newspaper. Mention shall be made therein of the object of the by-law, the date at which it was passed by the council and the place where communication may be had of it. The council may have such by-law published in full at the same time as the notice, and in the same manner."

Id., ss. 314-461, replaced.

42. Sections 314 to 461 inclusive of the said charter, as enacted or replaced, as the case may be, by the act 8 Edward VII, chapter 90, are replaced by articles 5635 to 5689 of the Revised Statutes, 1909, as now worded.

Id., s. 462, replaced.

43. Section 462 of the said charter is replaced by the following:

Appointment of valuers.

"**462.** At one of its sessions in the month of April of each year, the council shall appoint three valuers who shall, within the delays and in the manner prescribed by the council, make the valuation rolls of the town.

The council may determine in what manner the valuers shall divide the work among them."

Id., s. 494, par. 4, replaced.

44. Paragraph 4 of section 494 of the said charter, as amended by the act 8 Edward VII, chapter 90, section 8, is replaced by the following:

Certain professional men, &c.

"4. Upon every person habitually practising in the town the profession of advocate, physician, veterinary surgeon, notary, dentist, land surveyor, civil engineer or any other liberal profession, or acting as prothonotary of the Superior Court, or as registrar, and every other civil service employee not taxed as a proprietor or tenant, a sum not exceeding six dollars."

Id., s. 495, am.

45. Sub-paragraphs *a* and *b* of paragraph 9 of section 495 of the said charter, as amended by the act 8 Edward VII, chapter 90, section 9, are replaced by the following:

Contractors, &c.

"*a.* On every job contractor, residing in the city, a tax not exceeding twenty-five dollars, and on every contractor not residing therein, a sum of not more than fifty dollars, provided such contract is carried out within the limits of the city;

Non-resident males.

"*b.* On every person of the male sex, of full age, not residing in the city and not liable to any other tax, who comes to work or carries on any business therein, a sum of not more than two dollars;

Resident males.

"*c.* On every male person of full age, other than ministers of religion, ecclesiastics and students, not otherwise taxed

in virtue of this charter, who has resided in the city at least six months, an annual tax of not more than two dollars."

46. Section 497 of the said charter is replaced by the following: Id., s. 497, replaced.

"497. The special taxes enumerated in section 495 may be imposed and levied in the form of a permit or license, if the council so decides; and in such case it is not necessary that the persons liable to such taxes be mentioned on the valuation or collection roll. Such taxes shall then be payable on demand by the secretary-treasurer or any other municipal officer, provided such demand be accompanied by a detailed statement of the taxes claimed. In default of immediate payment of such taxes, they may be levied by seizure in the same manner as any other taxes. When taxes are due by a person not residing in the city, other than one of the persons mentioned in subparagraph *b* of paragraph 9 of article 495 of the charter, the council may enact that they shall be paid without any previous formality, before the carrying on of the industry, trade, business or occupation is commenced, under penalty of a fine not exceeding twenty dollars."

47. Article 506 of the said charter is replaced by the following: Id., s. 506, replaced.

"506. Notwithstanding any law to the contrary, no license for an inn, temperance hotel, restaurant, railway buffet, liquor shop and generally any place intended for the sale by retail of spirituous or fermented liquors in town, shall be granted, renewed or transferred without a permit from the council. Permit from council required for granting of licenses for inns, &c.

The council shall have the right to require for each such permit, in addition to all the other dues imposed in virtue of this act, from every person applying for such license or the transfer or renewal of such license, a sum not exceeding two hundred dollars, if for a license for an inn, restaurant, railway buffet or temperance hotel, and a sum not exceeding one hundred dollars if for a license for a wholesale or retail liquor store. Fees on permits.

The collector of provincial revenue shall not grant any license, renewal or transfer of a license without such permit from the council."

48. Section 528 of the said charter is replaced by the following: Id., s. 528, replaced.

"528. Every stranger who comes into the city to carry on any business or trade which renders him liable Payment of taxes by

persons carrying on business in city not entered on rolls.

to the business tax, either before or after the making of the valuation rolls, and whose name is not entered on such rolls, shall be bound to pay such tax as if it were imposed by way of license."

Id., s. 541, replaced.

49. Article 541 of the said charter is replaced by the following:

Fiscal year.

"541. The fiscal year in the city for all annual taxes, licenses or assessments, commences on the first day of January, and ends on the last day of December following, whatever may be the date or period of the year at which such taxes, licenses or assessments have been imposed or have become due.

Id., s. 543, replaced.

50. Section 543 of the said charter is replaced by the following:

Approval of by-laws authorizing loans.

"543. Every by-law authorizing a loan which will have the effect of increasing the city's debt shall, before having any effect, be approved by the majority of the municipal electors who are proprietors of immoveable property, in number and in value, and have voted."

Id., ss. 560-566 repealed.

51. Sections 560 to 566 inclusive of the said charter are repealed.

Id., s. 596a, enacted.

52. The following article is added after article 596 of the said charter, to wit:

Appeal to Circuit Court *re* valuation roll.

"596a. Every person who has made a complaint in accordance with article 476, may, within thirty days of the dismissal of such complaint by the council, by a petition presented to the Circuit Court or to a judge thereof, demand and obtain that the roll be amended, in so far as he is concerned, in such a manner as to maintain, wholly or partly, the contentions of his complaint."

Coming into force.

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