

nothing shall prevent the party offending from being prosecuted for the offence by him or her committed against such by-law, at the option of the prosecutor; and by such by-law, any infringement of the provisions thereof shall be punishable, on conviction before the Recorder's Court, by a fine not exceeding one hundred dollars, or, in default of payment of the fine and costs, by imprisonment with hard labor for a period not exceeding six months—but the imprisonment shall cease on the payment of the fine and the costs due at the date of such payment,—or by imprisonment not exceeding six months, without option of a fine, or both together, the whole at the discretion of the recorder.”

29. The city of Quebec is hereby authorized to grant ^{Permits} permits for free trading in fruit, vegetables and fish in ^{authorized} the streets of Quebec, but such trade shall be subject to ^{to trade in} the city by-laws. ^{the streets.}

30. The city is authorized to regulate by by-law of ^{Weight of} the council the weight of loads to be drawn by one horse, ^{loads.} up any of the hills, within the limits of the city; the weight of any such load not to exceed eighteen hundred pounds, for a vehicle of any description.

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

C H A P . 8 9

An Act to amend the charter of the city of Montreal.

[Assented to 5th March, 1915]

WHEREAS the city of Montreal has, by its petition, ^{Preamble.} represented that it is in the interest of the city, and necessary for the proper administration of its affairs, that its charter, the act 62 Victoria, chapter 58, and the acts amending the same, be amended as hereinafter mentioned, and that by-law No. 529, adopted on the 22nd June, 1914, be validated, owing to the doubts that may exist as to its legality; and whereas it is expedient to grant its prayer; Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

- 1.** Section 44a of the act 62 Victoria, chapter 58, as 62 Vict., c.

58, s. 44a,
replaced.

enacted by the act 1 George V (2nd session), chapter 60, section 5, is replaced by the following:

Voting of
companies,
&c.

“**44a.** Joint stock companies or corporations may be entered on the voters’ list and vote in the name of and through a representative of the company, duly authorized to that effect by a resolution, a copy whereof shall be filed with the city clerk on or before the 25th November, and they may so vote in all the wards where they pay taxes, and which they shall mention; provided such representative is a director or employee of the company when authorized and called upon to cast his vote. The said companies shall mention, in their applications to be entered on the voters’ list, the wards where they pay taxes and where they desire to exercise their right to vote.

The said resolution shall serve for the above purposes until it shall be replaced by another resolution to the same effect, which shall be produced at the date above specified.”

Id. s. 46,
replaced.

2. Article 46 of the act 62 Victoria, chapter 58, is replaced by the following:

Place of
voting.

“**46.** When the elector is not qualified in respect of residence, the chairman of the board of assessors shall determine where, in his judgment, the said vote for mayor may be most conveniently cast.

Wrongfully
deprived of
right to vote,
may never-
theless vote.

Whenever the chairman of the board of assessors has failed to indicate the place where such elector may vote, or whenever the letter “X” shall have been affixed by error opposite his name, the elector deprived of his right to vote may obtain the same by declaring under oath before the city clerk, on election day, that he has not already voted at said election for the mayor or the commissioners, and the city clerk shall deliver to him a certificate authorizing him to vote, and mentioning the poll where he may vote.”

Id., s. 46a,
enacted.

3. The following article is inserted in the act 62 Victoria, chapter 58, after article 46:

Even if name
omitted from
voters’ list,
may never-
theless vote.

“**46a.** The city clerk may also, on election day, give the right to vote to any elector whose name has been omitted from the voters’ list, but who is entered on the valuation roll and has the qualifications required by law, provided that such elector takes the oath before the deputy-returning-officer, that he has not already exercised the right to vote conferred on him by such certificate, and that he has the qualification required by law.”

4. Article 173 of the act 62 Victoria, chapter 58, is *Id.*, s. 173, amended by striking out the last clause thereof, which ^{am.} was added by the act 3 Edward VII, chapter 62, section 16.

5. The following article is inserted after article 176 *Id.*, s. 176a, of the act 62 Victoria, chapter 58, as replaced by 3 Edward ^{enacted.} VII, chapter 62, section 17:

“**176a.** The opening of the boxes, as regards the ^{Opening of} election of the mayor and the commissioners, may be ^{ballot-boxes.} required only on a sworn declaration by a candidate and an elector, to the effect that there is reason to believe that the returns transmitted to the city clerk are erroneous or fraudulent, and do not correspond to the duplicates deposited in the boxes, and that the result of the election might thus be changed.”

6. Article 335b of the act 62 Victoria, chapter 58, *Id.* s. 335b, as enacted by the act 3 Edward VII, chapter 62, section ^{replaced.} 29, is replaced by the following:

“**335b.** The funds voted and not expended during ^{Funds voted} the civic year shall remain available during the following ^{and not ex-} year for the carrying out of the works already decided ^{pend to} upon, undertaken, ordered or commenced, and for which ^{remain} such funds were voted” available.

7. Article 358 of the act 62 Victoria, chapter 58, is *Id.* s. 358, amended by adding thereto, at the end thereof, the follow-^{am.} ing paragraph:

“The said article shall also apply, notwithstanding the ^{Article to} restrictions it contains in this connection, to the principal of ^{apply to} temporary or other loans authorized and effected by the ^{principal of} city since the coming into force of the said act 62 Victoria, ^{loans.} chapter 58, and shall also apply to the principal of the loans which the city may hereafter effect.”

8. The following article is inserted in the act 62 Victo- *Id.* s. 361a, ria, chapter 58, after article 361: ^{enacted.}

“**361a.** A building in course of construction, begun ^{Building in} since the putting into force of the preceding valuation roll, ^{course of} and which is not ready to be occupied, shall be neither ^{construction} valued nor taxed” to be exempt.

9. Article 364 of the act 62 Victoria, chapter 58, as *Id.*, s. 364, amended by the acts 3 Edward VII, chapter 62, sections ^{par. m,} 37 and 38; 4 Edward VII, chapter 49, sections 13 and 14; ^{replaced.} 7 Edward VII, chapter 63, sections 21 and 22; 9 Edward VII, chapter 81, section 16; 1 George V (2nd session),

chapter 60, section 19; 2 George V, chapter 56, section 20; 3 George V, chapter 54, section 17, and 4 George V, chapter 73, section 15, is again amended by replacing paragraph "m" thereof by the following:

Circuses, &c. "m. A special tax not exceeding \$1,000.00 per day, on circuses, menageries, or travelling exhibitions and shows;"

Id. par. z,
replaced.

10. "Paragraph (z) of article 364 of the act 62 Victoria, chapter 58, as enacted by the act 3 Edward VII, chapter 62, section 38, and replaced by the act 1 George V (second session), chapter 60, section 19, is again replaced by the following:

Concert
halls, &c.

"(z) A special tax not exceeding \$500.00 on every owner, occupant or tenant of a concert hall or hall for theatrical performances; a special tax not exceeding 85 cents for every seat for one person, on every owner, occupant or tenant of a hall for the exhibition of moving pictures; a special tax not exceeding \$100.00 on every owner, occupant or tenant of a dancing hall; a special tax not exceeding \$50.00 on every owner, occupant or tenant of a museum or hall of amusement whatsoever, where an entrance fee is paid. In order to prevent fire, the city may place one of its firemen in concert halls, halls for theatrical performances or for the exhibition of moving pictures, during every performance or exhibition in such halls;"

Id. s. 441,
replaced.

11. Article 441 of the act 62 Victoria, chapter 58, as replaced by the act 4 George V, chapter 73, section 21, is again replaced by the following:

Award, &c.,
to be title of
city.

"**441.** In every expropriation, the report, judgment or award fixing the indemnity shall constitute the city's title to the ownership of the immoveable, servitude or right expropriated.

Registra-
tion of copy
and receipt
for indem-
nity.

The registration of a copy of or an extract from such report, judgment or award, certified by the depositary thereof, accompanied by the receipt or a duplicate of the receipt from the prothonotary, when the indemnity has been deposited with him, or a copy of the discharge when the indemnity has been paid to the expropriated party, shall be sufficient to all intents and purposes without the city being obliged to have registered any other title to the property. The registrar of every registration division shall accept such documents and register them."

Id. s. 452,
replaced.

12. Article 452 of the act 62 Victoria, chapter 58, as replaced by the acts 3 Edward VII, chapter 62, section 44,

and 1 George V (2nd session), chapter 60, section 23, is further replaced by the following:

“**452.** The council may, at any time, by by-law or resolution, order that any immoveable property upon which no buildings are erected, situated and lying between the old line and the new homologated line of any street, shall be expropriated, upon the proprietor of such immoveable property ceding in writing to the city the portion of land belonging to him so to be expropriated, and of which the city surveyor shall at once make a plan.

The mayor shall then appoint two of the city assessors to value the portion of land so ceded to the city. They shall value it at the price entered on the valuation roll for the current year, and shall report in writing to the council. On the confirmation of their report by the council, it shall be referred to the city surveyor and the said two city assessors, with instructions to apportion one-half of the cost of the land expropriated on the lands only on each side of the street within the limits to be fixed by them according to frontage in equal proportions. The other half of the cost of such expropriation shall be borne by the city. The proprietors taxed shall have the right to make payments of such assessments in five equal annual payments, with interest on the unpaid balance at the legal rate.

The foregoing provisions shall apply to all future expropriations, and also to those made or commenced since January 1st, 1914, and also to those made previously, but of which the assessments rolls were prepared since said January 1st, 1914, and the assessment rolls shall be corrected accordingly. No further expropriations shall be commenced under the provisions of this article during the next ensuing five years.

The roll of apportionment, when certified by the city surveyor and the said two city assessors, and filed with the city treasurer, shall be equivalent to and have the same force and effect as a final roll of special assessment.

The proprietor whose land has been expropriated shall be paid therefor without interest within three months from the date of the deposit of the roll. But in the event of there being any hypothec or privileged claim on the immoveable so expropriated, then the provisions of articles 440, 442, 443, 444 and 445 of the charter shall apply, except where the same may be inconsistent.

In order to pay the cost of the expropriation, the city shall have the right to issue temporary bonds in conformity with article 355 of this charter, and this right shall extend to all expropriations of the same nature which may be

effected or which shall not have been settled at the date of the sanction of this act."

Id. s. 562a,
enacted.

13. The following article is inserted in the act 62 Victoria, chapter 58, after article 562 thereof :

Women
constables,
&c.

"**562a.** The city is empowered to appoint women to act as constables, police officers or special detectives, and such women shall be subject to the provisions of the charter and the municipal by-laws relating to policemen, constables and detectives."

9 Ed. VII, c.
81, s. 39a,
enacted.

14. The act 9 Edward VII, chapter 81, is amended by adding after section 39, as amended by the act 2 George V, chapter 56, section 30, and by the act 3 George V, chapter 54, section 37, the following section :

Expenses to
be charged
to certain
loan fund.

"**39a.** All expenses incurred in virtue of paragraph 9 of section 39 of the said act 9 Edward VII, chapter 81, as amended by the aforesaid acts, as well as the cost of any overhead line, may be charged to the loan fund authorized by subsection 10 of the said section 39, and shall form part of the capital devoted by the city to the construction of underground conduits; but the cost of the construction of the said overhead lines shall be borne by the persons or companies using the same, in such manner, within such delays and in such proportions determined by the Electrical Commission of the City of Montreal."

Alteration
of ward
limits.

15. The city is authorized to alter, by by-law, the limits of St. Denis, Bordeaux, Laurier, De Lorimier, Rosemont and Mercier wards.

Change of
ward name.

16. Longue Pointe ward shall in future be known as and called "Mercier Ward".

Repairs to
permanent
pavements,
&c.

17. The city may, during the year 1915, charge against the proceeds of the loans authorized by articles 343 and 343a of its charter, a sum not exceeding four hundred thousand dollars for repairs to permanent pavings, to permanent sidewalks, for macadam and for the laying of macadam, for repairing and improving the streets generally, and a sum not exceeding \$200,000 for the purposes provided for in article 338a of this charter.

Ferry.

18. The city may charge against the proceeds of the loans issued under articles 343 and 343a of its charter, the cost of the construction of boats for the St. Helen's Island ferry service, as well as the cost of erecting wharves and landings for such ferry service.

19. The city of Montreal shall be exempt from the payment of any school tax which may be imposed on the immoveables belonging to it, and situated within its limits, and occupied or utilized for public purposes.

City exempt from school tax.

This provision shall not affect the rolls in force.

Exception.

20. The city shall not be held in virtue of a writ of *mandamus* or any other judicial process to fulfil, before the 1st January, 1917, the obligations imposed upon it by the act 1 George V (1st session), chapter 46, section 1.

Certain obligations not enforceable before 1st January, 1917.

This provision shall not affect cases pending on the first February, 1915.

21. The city is relieved from the obligation of providing a public hall in the police and fire station which is to be erected in the centre of Notre-Dame de Grâces Ward.

City relieved from obligation in Notre Dame de Grâce ward.

22. The city is relieved from the obligation of erecting a police and fire station in the town hall of the former village of Rosemont.

Also in Rosemont ward.

23. The council may, on a report of the board of commissioners, make arrangements with the proprietors of immoveables on the streets mentioned below, to exempt such proprietors from the payment of the whole or a portion of the amounts charged them for the construction of sewers.

City authorized to arrange for exemption of proprietors on certain streets from payment of all or a portion of accounts charged them for the construction of sewers.

Such streets are as follows:

St-André, from the height of land to Bélanger street and from the height of land to Villeray street—formerly Rose de Lima street—(west side);

St-André street from Beaubien street to Belanger street (west side);

Westmount avenue from Côte des Neiges road to the limits of Westmount (south side);

St-Christophe street, from Cherrier street to Roy street;

St-Christophe street, from Duluth street to Marie Anne street;

Brennan street, from Prince street to Anne street;

Mentana street from Rachel street to Mount Royal avenue (east side);

Mentana street, from Mount Royal avenue to Gilford street (east side);

Mentana street, from Gilford street to Laurier avenue (east side);

Robin street, from Beaudry street to St-André street;

Boyer street, from the Canadian Pacific Railway to Beaubien street (west side);

St-Elie street, from Chateaubriand street to the end of the sewer, westward (north side);

Minto avenue, from St James street to the Canadian Pacific Railway (west side);

De l'Etang street;

Seaforth Avenue.

Capitaliza-
tion and
commuta-
tion of tax
authorized.

24. The city may make arrangements with the Government of Canada in order to capitalize and commute the tax exigible in virtue of the municipal by-laws for the construction of vaults, bridges, or tunnels, over or under any street or thoroughfare.

Ratification.

The arrangements of this nature which have already been made with the Government of Canada are declared valid and legal.

Power to
regulate
speed of
motor
trucks, &c.

25. Notwithstanding the provisions contained in articles 1388 to 1424 of the Revised Statutes, 1909, the city may regulate the speed of motor trucks used for conveying any articles, goods, or materials in the streets of the city, by enacting that such trucks shall not run at a greater speed than four miles an hour on such streets as the city may designate.

Special tax
on tickets.

26. The council may, by by-law, impose and levy, to aid hospitals and other charitable institutions in the city only, a tax of one cent on every admission ticket or for or on each person admitted into any theatre, moving picture hall, amusement hall, concert hall, circus, playground, race-course, skating-rink, or any other place in the city where any exhibition or entertainment whatsoever is given, and where an entrance-fee is collected and charged; compel the owners, lessees or occupants of such theatres and other places above mentioned, or any other persons operating the same, to themselves collect the said tax, and to render an account thereof to the city under pain of being held personally liable therefor, and adopt any other measures which it may deem necessary in order to ensure the collection of said tax, and even reserve the exclusive right to sell the said tickets, and to oblige the said hospitals and other charitable institutions which desire to benefit by the proceeds of such tax, to transmit to the city such report as may be required of them; and for the infringement of any by-law adopted in virtue of this section, by the person holding a license for such theatres or other places above mentioned, may impose as a penalty, in addition to that already provided by the charter, the suspension or even the revocation of such license.

Penalty for
infringe-
ment.

The proceeds of such tax, after deducting the expenses incurred by the city for the purpose of collecting the same, or for other purposes, shall be distributed among the hospitals and charitable institutions in the city in proportion to the number of beds gratuitously occupied, and to the time that they may be occupied by patients residing in the city for at least six months; but in no case shall such tax be recoverable from the proprietors of the various places of amusement above mentioned.

27. The council may authorize the board of commissioners to have municipal works performed by day labor instead of by contract.

28. By-law No. 529, intituled "By-law to alter the limits of St. Denis and Bordeaux wards," adopted by the city council of Montreal, on the 22nd June, 1914, is hereby ratified and confirmed.

29. The deed of sale of part of lot No. 1696 of the official plan and book of reference of St. Antoine ward by the right Rev. John C. Farthing, D.D., in his quality of Lord Bishop of Montreal, a corporation sole, *et al.*, to the city of Montreal, passed before Mr. Jean Beaudoin, notary, on the 23rd January, 1915, under the number 7085 of his repertory, is confirmed.

By the payment to the vendors of the purchase price according to the terms of the said deed, the immovable sold shall be free from all charges whatsoever, and the city shall be free from all responsibility as regards any one who may pretend to have any right in, to or upon the said immovable. The vendors are authorized to use the said purchase price for religious purposes, or for any other purposes they may consider right.

30. The following article is inserted in the act 62 Victoria, chapter 58, after article 21r, as enacted by the act 4 George V, chapter 73, section 3:

"**21s.** The board of commissioners may, by resolution, make and enforce rules and regulations for their internal government, for conducting their deliberations, and for maintaining order at their sessions, and, until such rules and regulations shall have been made and put in force, rules 8, 14, 16, 19, 25, 26, 30, 32, 33, 35, 37, 48, 49, 52, 53, 55, 56, 57, 58, 59, 60, 64, 65, 66, 67, 68, 70 and 123 of the council shall apply, *mutatis mutandis*, to the board of commissioners.

The board of commissioners may from time to time amend the rules they make."

62 Vict., c.58
s. 21i re-
placed.

31. Article 21i of the act 62 Victoria, chapter 58, as enacted by the act 9 Edward VII, chapter 82, section 2, and as replaced by the act 1 George V (2nd session), chapter 48, section 10, is again replaced by the following:

Two mem-
bers of
Board to
retire every
two years.

"**21i.** The members of the board of commissioners, with the exception of the mayor, are elected for four years; nevertheless two of the first four commissioners elected, who shall be designated by lot, shall go out of office at the end of the second year, and two other commissioners shall be elected in their stead for a period of four years. The commissioners who thus go out of office shall be eligible for reëlection.

Procedure
for drawing
of lots.
Place where
held.

For the drawing of lots herein mentioned, the proceedings shall be as follows:

The drawing of lots shall take place in the office of the city clerk, the city clerk or the assistant clerk presiding, on the day and at the hour fixed by the said clerk, but shall take place during the month of November, 1915.

Notice.

A written notice of at least eight days shall be given by the clerk to the four interested commissioners, as well as to the mayor, indicating the day, hour and place where such drawing shall take place, and the mayor, the commissioners, or their representatives shall attend such drawing, as well as any other person that the clerk shall require, and a minute shall be drawn up and prepared by the clerk.

Drawing.

The numbers 1, 2, 3 and 4 shall be written respectively on four separate and like sheets of paper, which, after being folded, shall be thrown into a box or other receptacle chosen by the clerk.

The commissioners shall then be asked in turn according to alphabetical order of their surnames to draw a number, and, in the absence of one or more of them, the clerk may ask the mayor, or, in his absence, any other person he may select, to draw for and in the place of the absent commissioner or commissioners.

The two commissioners who shall personally or by representatives, or in their absence by the mayor or other person selected by the clerk, draw the numbers 3 and 4, shall thereby be designated as those going out of office at the end of the second year, and it shall be the duty of the clerk to give them notice, and to act accordingly."

Coming into
force.

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

SCHEDULE A

No. 529

By-law to alter the limits of St-Denis and Bordeaux Wards.

(Adopted 22nd June, 1914)

Whereas it is advisable to alter the limits of St. Denis and Bordeaux Wards;

At a special meeting of the Council of the City of Montreal held in the City Hall this twenty-second day of June, 1914, after the observance of the formalities prescribed in and by the act of incorporation of the said City, at which meeting were present: His Worship the Mayor, Médéric Martin, Esquire, Aldermen L. A. Lapointe, N. Lapointe, Ward, O'Connell, Létourneau, Boyd, Bastien, Mayrand, Turcot, Giroux, Larivière, Ménard, Rubenstein, Vandelac, Weldon, Hushion, Dubeau, Therrien, Denis, Chartrand, St-Pierre, Elie, Barbeau, Dubois, Pauzé;

It was ordained and enacted by the said Council as follows:

Sect. 1.—The boundaries of St. Denis Ward are altered by detaching from St. Denis Ward and by adding to Bordeaux Ward:—

(1) That portion of the Parish of St. Laurent annexed to the City, to form part of St. Denis Ward, by the act 7 Edward VII Chap. 63, Sect. 1; (2) The former municipality of the Village of Villeray, annexed to the City of Montreal under by-law No. 334, adopted on the 11th September, 1905, and now forming part of St. Denis Ward; (3) That part of the portion of the territory of the Parish of Sault-au-Recollet annexed to the City of Montreal under by-law No. 360, adopted on the 5th November, 1906, and now forming part of St. Denis Ward, comprising No. 332 of the cadastre, and the residue of No. 490 of the cadastre of the Parish of Sault-au-Recollet, and their subdivisions.

The last mentioned residue being bounded as follows: on the North-East by No. 487 of the cadastre of the Parish of Sault-au-Recollet, on the South by Jarry Street, on the South-West by No. 2630 of the cadastre of the parish of St-Laurent, and on the North-West by the Côte St. Michel road;

Sect. 2.—Bordeaux Ward shall contain hereafter in addition to what it already contains, the portions of territories described in Section 1, for all municipal purposes.

Sect. 3.—All by-laws or parts of by-laws inconsistent with this by-law, are hereby repealed and annulled.

Sect. 4.—This by-law shall come into force only after it has been ratified by the Legislature of Quebec.

(Certified)

J. CRÉPEAU,
Asst. City Clerk

CHAP. 90

An Act to amend and consolidate the charter of the city of Three Rivers.

[Assented to 5th March, 1915]

Preamble.

WHEREAS the city of Three Rivers has, by its petition, represented that it is in the interest of the ratepayers and of the proper administration of its affairs to revise and consolidate the provisions of the various acts of the Legislature of the Province of Quebec relating to the corporation of the city of Three Rivers, and to grant certain powers to the said corporation; that it is also in the interest of the ratepayers to consolidate and revise the powers of the school commissioners for the city of Three Rivers, and to ratify a by-law ratifying a loan of one hundred and sixty-five thousand dollars to enable the said commissioners to pay certain debts contracted for building new school houses and in purchasing the necessary grounds for such purposes;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

SECTION I

INTERPRETATIVE PROVISIONS

Definition.
"Taxes".

1. The words "taxes" or "municipal taxes" mean and include all taxes and contributions in money imposed by