

C H A P. 75

An Act to amend the charter of the City of Three Rivers.

[Assented to 19th February, 1914]

Preamble.

WHEREAS, the corporation of the city of Three Rivers has, by its petition, represented that it is in the interest of the proper administration of its affairs that its charter, the act 1 Edward VII, chapter 44, and the acts amending the same, be amended; and whereas it is expedient to grant such prayer;

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

1 Ed. VII,
ch. 44, ss.
5a & 5b,
enacted.

1. The following articles are inserted in the act 1 Edward VII, chapter 44, after section 5:

Annexation
by-law.

"5a. The council may, by the affirmative vote of the majority of its members, pass by-laws for the purpose of extending the city limits, by annexing, for municipal purposes, wholly or partly, any contiguous city, town, village or municipality, or any land immediately adjacent or contiguous to the limits of the city, if, in the latter case, the owner of such land asks the council to do so. Every such by-law shall contain a complete description of the territory to be annexed, the terms and conditions of the annexation, and shall state whether the territory so annexed shall be a single ward, or whether it shall be annexed wholly or partly to one of the wards of the city.

Provisions
applicable.

"5b. If such a by-law be passed, articles 5287 to 5298 of the Revised Statutes, 1909, shall apply to the city."

Id., s. 6, re-
placed.

2. Article 6 of the act 1 Edward VII, chapter 44, as replaced by the act 1 George V (2nd session), chapter 61, section 1, is again replaced by the following:

Mayor and
six aldermen.

"6. The city of Three Rivers shall be represented and governed, and its affairs administered, by an elective council, consisting of the mayor and six aldermen.

Four year
term.

The mayor and aldermen shall be elected for four years by the majority of the municipal electors of the municipality who have voted, and the polling shall be by ballot.

Expiry of
term.

The mayor's term of office shall expire after the new mayor is sworn in, and that of the aldermen at the opening of the first general or special sitting of the council, held after the general elections."

3. Article 12 of the act 1 Edward VII, chapter 44, is Id., s. 12, replaced by the following: replaced.

"12. The nomination of candidates at each election shall take place on the second Monday of July, and the voting on the third Monday of July. If such days be non-juridical, the nomination and voting shall take place the following juridical days. Date of nomination and election.

The elections shall be announced by a notice published at least eight days beforehand, in French and in English, in one or more newspapers of the city, and posted up in the most frequented places. Notice.

Such notice shall be signed by the city-clerk or the officer presiding at the elections, if one be appointed in accordance with the provisions of this act, and such notice shall specify the day, the place and the hour of the nomination of the candidates at such elections." By whom signed and what it shall contain.

4. Article 13 of the said act, as amended by the act 1 George V (2nd session), chapter 61, section 2, is replaced by the following: Id., s. 13, replaced.

"13. The city-clerk shall act as presiding-officer at the elections to be held under the charter, and in the application of the various articles connected with elections to be held under its provisions, the words "presiding-officer" shall mean the city clerk. City clerk to be presiding officer.

The council may, however, appoint another person as presiding-officer, provided such appointment be made at least one month before the date of the election. Exception.

"13a. The presiding-officer shall, at least ten days before the date of the elections, appoint, under his signature, an assistant who shall help him in the performance of his duties, and replace him whenever he refuses, or is forbidden, or is unable, to perform his duties. Assistant presiding officer.

"13b. Whenever the clerk or the presiding-officer so appointed, shall refuse, or be forbidden or unable, to act as presiding-officer, before the appointment of an assistant, the mayor shall, by commission under his signature, appoint a competent person as presiding-officer. Other competent person may be appointed.

"13c. The assistant presiding-officer shall, before acting as such, take the oath of office according to form "F" of the Cities' and Towns' Act." Oath of office.

5. Article 14 of the act 1 Edward VII, chapter 44, as replaced by the act 5 Edward VII, chapter 43, section 2, Id., s. 14, replaced.

and by the act 1 George V (2nd session), chapter 61, section 3, is again replaced by the following:

Electoral
list.

"14. Before the first day of May of every year in which the general elections are to be held under article 12 of this charter, there shall be made, in the manner hereinafter indicated, by the clerk, or under his supervision, a list for the municipality of the persons who are entered on the valuation roll and upon the tax-collection roll of the municipality, and who possess the necessary qualifications as electors.

Id., ss. 15—
18 replaced.

"14a. Articles 15, 16 and 17 of the act 1 Edward VII, chapter 44, and article 18 of the said act, as replaced by the act 1 George V, (2nd session), chapter 61, section 4, are replaced by articles 5375, 5378 to 5412 inclusive, of the Revised Statutes, 1909, which shall apply to the city.

Provisions
applicable.

Names to be
omitted and
removed.

"14b. In making out the list, the clerk shall leave out and from time to time cause to be removed, the names of all persons who may be deceased, as well as of those who are not entitled to have their names entered on the list.

Polling dis-
tricts.

"14c. In making out the list of electors of the municipality, the clerk shall divide them into as many polling districts as there are two hundred electors, adding a district for every fraction of such number.

The districts shall, as far as possible, contain an equal number of electors."

Id., s. 20
replaced.

6. Article 20 of the act 1 Edward VII, chapter 44, is replaced by the following:

Term of
mayor.

"20. The mayor shall be elected for four years. The present mayor shall continue in office until the elections in 1917."

Id., s. 21
replaced.

7. Article 21 of the act 1 Edward VII, chapter 44, as replaced by the act 1 George V (2nd session), chapter 61, section 8, is again replaced by the following:

Term of al-
dermen.

"21. The aldermen shall be elected for four years. Nevertheless the election of three aldermen shall take place every two years, as their respective terms of office expire.

Aldermen to
draw lots.

The present aldermen shall continue in office until the elections in 1915. Thirty days at least before the date the nomination, as fixed by article 12, the mayor shall draw lots at a regular meeting of the council. The three

aldermen drawn by lot shall be replaced at the elections of 1915, but their seats shall not be vacant until the general or special meeting following the elections of 1915.

The three other aldermen now in office and not drawn by lot, shall continue to fill their office until the general or special meeting following the elections of 1917. They shall be replaced at the elections of 1917. The same shall be done in the future every second year as regards the aldermen whose term shall expire, as mentioned in article 6 of the charter."

8. Article 22 of the said act, as amended by the act 5 Id., ss. 22, 23 Edward VII, chapter 43, section 4; article 23; and article 24, as replaced by the act 1 George V (2nd session), chapter 61, section 9, are replaced by the following articles:

"22. Ten electors qualified to vote, and whose names are entered on the electoral list in force in the municipality, may nominate a candidate for the office of mayor or alderman by signing, in either case, *mutatis mutandis*, a nomination paper according to form H of the Cities' and Towns' Act in the case of the mayor, and to form I in the case of an alderman, stating the names and surname, residence and profession or occupation of the person nominated, in such manner as to sufficiently identify such candidate, and by delivering the said nomination paper to the clerk before four of the clock in the afternoon of the day fixed for the nomination. Nomination.

The mark affixed on the nomination paper by an elector who cannot write, shall be deemed the required signature within the meaning of this charter. Mark to be deemed signature.

Such nomination papers may also be filed with the clerk at any place and at any time, between the date of the notice mentioned in article 12 of this charter and the day of nomination, with the same effect as if they were delivered at the time and place fixed for the nomination; and, at the close of the time for nominating the candidates, the clerk shall deliver to every candidate or agent of a candidate applying therefor, a duly certified list of the names of the several candidates who have been nominated; and all votes given at the election for any other candidates than those so nominated, shall be null and void. Nominations may be filed in advance.

"23. The nomination paper shall be accompanied by the consent in writing of the person nominated, according to forms H and I of the Cities' and Towns' Act, except when such person is absent from the Province, in which case such absence shall be stated in the nomination paper. Consent of person nominated.

Oath may be required to attest signatures.

"24. The clerk shall require the person, or one or more persons, producing or filing, as aforesaid, any such nomination paper, to make oath before him that he knows or that they know that the several persons who have signed or made their marks thereon, are electors entitled to vote, and that they have signed or made their marks thereon in his or their presence, and that the candidate's consent had been signed in his or their presence, or that the person named as candidate is absent from the Province, as the case may be. This may be done in accordance with the form J of the Cities' and Towns' Act in the case of the mayor, and with form K of the said act in the case of an alderman, and the fact of its having been taken shall be stated on the back of the nomination paper.

Oath as to consent of candidate.

"24a. If the nomination paper be handed by the candidate himself to the clerk, the latter shall require him to make oath before him that the signature subscribed to the consent is his signature, and an entry thereof shall be made at the end or on the back of the nomination paper, and, in such case, the affidavit of another person, in relation to the candidate's consent, shall not be required.

Nomination paper to be examined by clerk and either admitted or rejected.

"24b. So soon as he has received and examined the nomination paper, the clerk shall forthwith declare whether he considers it valid, and shall enter thereon over his signature the word "admitted", or the word "rejected", with, in the latter case, the reason for such rejection. The nomination paper may then be corrected or be replaced by another, so long as the delay has not expired.

Requirement for validity.

To be valid, the nomination paper must be made out and delivered in accordance with the formalities above set forth."

Id., s. 74a enacted

9. The following article is added after article 74 of the said act:

"74a. Article 5492 of the Revised Statutes, 1909, shall apply to the city.

5492 R.S. to apply.

The said article 5492 shall apply to the documents of all previous elections."

1 Ed. VII, ch. 44, ss. 114a & 114b enacted.

10. The following section and articles are added after section XIII of the act 1 Edward VII, chapter 44:

"SECTION XIIIa

"Municipal Notices

Provisions applicable.

"114a. Articles 5571 to 5587 of the Revised Statutes

1909, shall apply to the city, with the exception, however, of article 5584.

"114b. The articles above mentioned shall apply to Proviso. the city, only when it is not otherwise provided by the charter."

11. Article 115 of the act 1 Edward VII, chapter 44, Id., s. 115 is amended by replacing the first paragraph thereof by ^{am.} the following:

"115. A meeting of the council shall be held within Council the eight days following the annual election; it shall be meeting to convened by the presiding-officer, who shall give notice be held to the mayor and to each of the aldermen. within eight days.

Before entering into office, the mayor and each of the Oath of aldermen shall take the following oath of office: "I, office.

12. The following articles are added after article 132 Id., ss. 132a of the act 1 Edward VII, chapter 44: and 132b added.

"132a. Article 5323 of the Revised Statutes, 1909, 5323 R.S. together with the form therein mentioned, shall apply to to apply. the city.

"132b. The security of the officers of the council men- Security tioned in article 132 may be replaced by an insurance may be re- policy from a guarantee company having an office in the placed by a Province and specially authorized to do business under guarantee the Quebec Insurance Act. policy.

13. The following articles are added after article 141 1 Ed. VII, of the act 1 Edward VII, chapter 44: ch. 44, ss.

"141a. Industrial companies owning immoveables in 141a and the city shall transmit to the office of the council, in the 141b added. month of May of each year, a statement showing the real Companies value of their moveable and immoveable property in the to transmit city. statement of property.

Communication of such statement shall be given in Assessors due time to the assessors by the clerk. The assessors may fix may, however, fix another value than that given in the another statement, and, in such case, they shall send a notice to value. the head office of the company in the Province.

"141b. Articles 5700 to 5704, inclusive, of the Revised 5700 to 5704 Statutes, 1909, shall apply to the city. R.S. to apply.

14. Paragraphs 6 and 14 of article 165 of the act 1 1 Ed. VII, Edward VII, chapter 44, as replaced by section 7 of the ch. 44, s. 165 am.

act 1 George V (1st session), chapter 50, are again replaced by the following:

Publicity
bureau.

"6. *a.* For establishing a publicity bureau for the advantage and progress of the city, or granting aid towards the establishment of such a bureau ;

To aid rail-
ways, etc.

b. For granting aid towards the construction of railways, and electric, telegraph and telephone lines;

To aid Light
& Heat com-
panies, &c.

c. For granting aid towards the construction, improvement and maintenance of gas or electric systems of light, heat and power;

To aid in
building a
hotel.

d. For granting aid towards building a hotel within the city limits of the value of at least one hundred and fifty thousand dollars, and containing not less than one hundred and twenty-five bed-rooms;

To aid man-
ufacturing
companies,
&c.

e. For granting aid to manufacturing establishments, navigation companies and electric tramway companies;

Exemption
from tax-
ation.

f. For granting, to that end, a partial or complete exemption from taxes for a period not exceeding twenty years, or granting such area of land as the council may deem proper to give, or by taking shares in the companies formed and incorporated for such purpose, or by purchasing or guaranteeing the bonds or debentures of such companies, or by granting exclusive franchises or privileges to such companies, or by making loans to such companies on first hypothec for a period not exceeding twenty years.

Purchasing
bonds or de-
bentures.

Representa-
tion on di-
rectorate.

Should the council take shares in such companies, it shall select one or more of its members to represent the interests of the city and act as directors in such companies."

To aid var-
ious other
institu-
tions.

"14. For aiding scientific, artistic, literary, industrial or agricultural societies, religious teaching communities, charitable institutions and hospitals, by giving or lending money for that purpose to societies, communities, institutions, hospitals, persons, companies or associations formed for any of the above objects, or by taking shares in the stock of such companies; provided the amount so appropriated annually shall not exceed the sum of two thousand dollars. When the aid granted exceeds such amount, a by-law to that effect shall be submitted for the approval of the ratepayers who are property-owners, as provided by article 186 of this charter."

Proviso.

Id., s. 165a
added.

15. The following article is inserted in the act 1 Edward VII, chapter 44, after article 165, as amended by the acts 5 Edward VII, chapter 43, section 9; 8 Edward VII, chapter 86, section 9, and 1 George V (1st session), chapter 50, section 7:

"165a. Without limiting the powers and authority conferred on the council by articles 164 and 165, the said council shall have authority to pass by-laws:

a. For establishing autobus circuits for the conveyance of persons within the city limits;

b. For permitting the establishment of such circuits subject to the provisions of the law of Quebec relating to motor vehicles;

c. For purchasing the interests of persons in such autobus circuits;

d. For granting exclusive franchises or privileges for the operation of such circuits, and for exempting them from taxation, wholly or partly, for a period not exceeding ten years;

e. For fixing the number of persons that may be carried in each autobus, plying for the conveyance of passengers;

f. For aiding the building and establishment of technical schools in the city, and for granting exemption from taxation or a subsidy not exceeding fifty thousand dollars for such purpose."

16. The second sub-paragraph of paragraph 59 of article 165 of the act 1 Edward VII, chapter 44, as enacted by the act 8 Edward VII, chapter 86, section 9, is repealed.

17. The following article is added after article 234 of the act 1 Edward VII, chapter 44:

"234a. Article 2700 of the Revised Statutes, 1909, is replaced by the following, in so far as the school commissioners of the city of Three Rivers are concerned:

"2700. The chairman may call the members of the school board together for a sitting, by a special notice, which the secretary shall give them in writing at least twenty-four hours before the date fixed for such meeting."

18. Article 236 of the act 1 Edward VII, chapter 44, as replaced by section 8 of the act 3 George V, chapter 55, is again replaced by the following:

"236. The total amount of the city's loans shall not be more than twenty per cent of the total value of the taxable immoveable property entered on the valuation roll.

Nevertheless, the properties temporarily exempt from taxes, by the city by-laws, shall not be considered as taxable properties for the purpose of the present article."

Id., s. 242
replaced.

19. Article 242 of the act 1 Edward VII, chapter 44, is replaced by the following:

Sinking fund.

"242. It shall be the duty of the treasurer of the council to take each year, out of the funds of the city, before the payment of any appropriation whatever, for other purposes, a sum of money, equal to one per cent or more on the total amount of the bonds or debentures issued by the corporation of the city, to keep such sum separate, and invest it in public securities of the Dominion of Canada, or of this Province, or on first hypothec to an amount not exceeding one half of the value of the property hypothecated, as appears on the municipal valuation roll; provided provision be made with a view of insuring the property so hypothecated, in the name of the municipality and at the expense of the borrower, to an amount of at least one half the value of the property assured, either to be used for the purpose of redeeming the bonds issued by the municipality, or to be deposited in a duly chartered bank."

Investment
thereof.

2 Geo. V, c.
57, s. 7 re-
placed.

20. Section 7 of the act 2 George V, chapter 57, is replaced by the following:

Water and
electric po-
wers and
and gas.

"7. The city of Three Rivers, by a by-law voted and approved in the same manner as for loans according to its charter, shall have the right to acquire and construct water and electric powers, and systems for the production of gas, and to operate the same for the purpose of supplying light, heat and motive power to the inhabitants of the city of Three Rivers, and for its own use, and issue bonds for such purpose."

Loans au-
thorized.

21. The corporation of the city of Three Rivers is especially authorized by this act to borrow the amounts hereinafter set forth:

Drains and
sewers.

1. Fifty thousand dollars to be exclusively used for the work required for drainage and sewerage;

Paving.

2. One hundred and fifty thousand dollars, to be exclusively used in paving and macadamizing the streets of the city;

Water-works.

3. One hundred thousand dollars, to be exclusively used in improving and continuing the construction of the waterworks;

Fire depart-
ment.

4. Twenty-five thousand dollars, to be exclusively used for the purchase of fire apparatus, the building of fire stations and for improvements required for the fire department;

Ferry boats.

5. Fifty thousand dollars to be exclusively used for

the construction, repairing and maintenance of ferry boats to facilitate access to the city by water;

6. Fifty thousand dollars, to be exclusively used for Street expropriations for widening and improving streets and widening roads;

7. Fifty thousand dollars, to be exclusively used in Technical the construction and maintenance of technical schools schools in the city.

For effecting such loans or any portion thereof, the Conditions. corporation shall be subject to the conditions set forth in the three last paragraphs of section 12 of the act 1 George V (1st session), chapter 50.

22. Article 186 of the act 1 Edward VII, chapter 44, 1 Ed. VII ch. before or after the amendment made by the act 1 George 44 s. 186 not V (1st session), chapter 50, section 9, shall not apply to apply to above loans, to the loans authorized by section 21 of this act, and is or to certain others. also declared not to apply to the loans authorized by them or contracted under the acts 5 Edward VII, chapter 43, section 15; 8 Edward VII, chapter 86, section 13; 9 Edward VII, chapter 84, section 1; 1 George V (1st session), chapter 50, section 12; 1 George V (2nd session), chapter 61, section 31, and 3 George V, chapter 55, section 15.

23. The debentures which the corporation of the city Conditions of Three Rivers is authorized to issue under the following on which certain de- acts, to wit: 1 Edward VII, chapter 44, section 247; 5 Edward VII, chapter 43, section 15; 8 Edward VII, be issued. chapter 86, section 13; 1 George V (1st session), chapter 50, section 12; 1 George V (2nd session), chapter 61, section 31; 3 George V, chapter 55, section 15, and by this act, may be issued on the following conditions:

The said debentures shall be redeemable after a period Term and rate of in- of at least fifteen years and at most forty-five years from terest. date of issue, and shall bear interest not exceeding six per cent per annum, payable semi-annually.

24. Section 3 of the act 9 Edward VII, chapter 84, 9 Ed. VII, is replaced by the following: ch. 84, s. 3, replaced.

3. The debentures mentioned in this act shall be issued Interest not under the signature of the mayor, countersigned by the to exceed 6 secretary-treasurer, and the seal of the said city. They per cent. shall bear interest payable semi-annually, at such date as may be agreed, and such rate of interest shall not exceed six per cent per annum.

May be sold
below par.

25. The city may dispose of its debentures below par.

Coming into
force.

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

CHAP. 76

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

[Assented to 19th February, 1914]

Preamble.

WHEREAS, the city of Sherbrooke has, by its petition, represented that it is in the public interest and desirable to amend its charter, the act 7 Edward VII, chapter 66, and the various acts amending the same; and whereas it is expedient to grant the prayer to that effect, 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:

5317 R.S.
replaced for
the City.

1. Article 5317 of the Revised Statutes, 1909, as amended by the act 3 George V, chapter 40, section 1, is replaced, for the city, by the following:

Mayor may
receive in-
demnity.

"5317. The mayor and aldermen shall not receive any salary, profit or indemnity in any form whatsoever, for their services; nevertheless, the city council may, by resolution, grant an indemnity or remuneration not exceeding one thousand dollars to the mayor of the city."

5564 R. S.
replaced for
the city.

2. Article 5564 of the Revised Statutes, 1909, is replaced, for the city, by the following:

New busi-
ness may be
considered
by unani-
mous con-
sent.

"5564. If, at any special or general session, the business cannot be fully disposed of, the council may adjourn as often as may be deemed necessary for the consideration and disposal of the unfinished business, without its being necessary to give notice of such adjournment to the members present, but, except with the consent of all the members of the council, no new business shall be brought before or considered at any such adjourned session."

Certain ar-
ticles not to
apply.

3. Articles 5610, 5611, 5612, 5613, 5614, 5615, 5616, 5617, 5618, 5619, 5620, and 5621 of the Revised Statutes, 1909, shall not apply to the city of Sherbrooke.

Procedure re

4. Whenever, in accordance with the provisions of this