

C H A P. 55

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

[Assented to 21st December, 1912]

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 it, be amended, 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 Ed. VII, c.
44, s, 168
replaced.

Expropria-
tion.

1. Article 168 of the act 1 Edward VII, chapter 44, is replaced by the following:

“**168.** In default of agreement between the parties, the value of the immoveable in question, as well as everything entering into the compensation for the value of such immoveable, shall be estimated by arbitrators appointed as follows: one by the council, one by the proprietor or on his behalf and a third by the first two arbitrators or, if they do not agree, by a judge of the Superior Court at the request of one of the interested parties.

Appoint-
ment of arbi-
trator by
court in cer-
tain case.

“**168a.** Whenever, under the provisions of the law or of any by-law, it may be necessary to appoint one or more arbitrators or a third arbitrator and either of the parties refuses or fails to choose such arbitrator after being thereunto required in the manner provided by law or set forth in a by-law, the other party may, by summary petition, notice whereof has been served on the opposite party, apply to a judge of the Superior Court who shall have jurisdiction and power to make such appointment.

Id.

Such appointment shall be deemed to be and to stand for all intents and purposes as the choice of the party who has not made it.

Proceedings
of arbitrat-
ors.

“**168b.** The arbitrators shall proceed at the time and place fixed by them and a special ten days' notice whereof shall have been given by them to the interested parties.

Award.

The arbitrators, after having examined and valued the immoveable and heard the parties and their witnesses under oath administered by one of them, if they deem it advisable, give their award by a certificate signed by one or the majority of them and shall deposit the same in the office of the council.

Id., 142,
replaced.

2. Article 142 of the act 1 Edward VII, chapter 44, is replaced by the following:

Valuation by
assessors.

“**142.** It shall be the further duty of the assessors to value

and enter upon the valuation roll of the city the real annual value of the rent of any immoveable occupied by any person who, not being the proprietor of the said immoveable, is nevertheless not obliged to pay any rent therefor.

When the rent agreed upon for a property does not represent the ordinary value, the assessors shall enter the real annual value on the roll and such value shall alone serve as a basis for imposing the tax on the tenants and occupants."

3. Article 138 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., 138
replaced.

"**138.** It shall be the duty of one or more of the auditors to examine, verify, approve or disapprove of, and report upon, all accounts which may be entered in the books of the said council or which may relate to any matter or thing within the jurisdiction of the said council, and to publish in the French and English languages, in one or more newspapers published in the said city, a detailed statement of the receipts and expenditure, and of the revenues of the council, during the previous fiscal year. Duties of
auditors.

They shall further compile the report for the said year and prepare the balance sheet of the city so that it may be printed in a book for the information of the rate-payers of the city."

4. Article 139 of the act 1 Edward VII, chapter 44, is replaced by the following: Id. 139
replaced.

"**139.** The mayor may also cause the treasurer's accounts to be summarily examined and audited at any time during the fiscal year by one or more auditors, who shall report thereon to the council." Special
audit.

5. Paragraph 9 of article 179 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., 179, am.

"9. For defraying, out of the funds of the city, any expense which the said council shall deem expedient to incur, in aiding or assisting any person employed by the chief of the fire department, who shall have received any wound or contracted any serious disease at any fire, or in assisting or providing for the families of the employees who shall perish at any fire, or in bestowing rewards, in money or otherwise, upon persons who shall have been particularly useful, or who shall have specially exerted themselves, at any fire." Assistance of
persons
injured, &c.,
while helping
fire brigade,
&c.

6. The following articles are inserted in the act 1 Edward VII, chapter 44, after article 129. Id., 129a-c
added.

"**129a.** Article 5304 of the Revised Statutes, 1909, shall apply to the city of Three Rivers." R. S. 5304
to apply to
city.

Id., 5305
to apply to
city.

“**129b.** Article 5305 of the Revised Statutes, 1909, shall apply to the city of Three Rivers.

Id., 5306
to apply to
city.

“**129c.** Article 5306 of the Revised Statutes, 1909, shall apply to the city of Three Rivers.”

1 Ed. VII. c.
44, s. 240
replaced.

7. Article 240 of the act 1 Edward VII, chapter 44, is replaced by the following:

Temporary
loans.

“**240.** Nevertheless, the foregoing provisions respecting the manner of effecting the loans shall not have the effect of preventing the council from contracting, by promissory notes or otherwise, any temporary loan, which it may deem necessary for meeting the urgent requirements of the city’s administration, provided such temporary loan does not exceed fifty thousand dollars.”

Id., 236
replaced.

8. Article 236 of the act 1 Edward VII, chapter 44, is replaced by the following:

Borrowing
limit.

“**236.** The total amount of the city’s loans shall not be more than twenty per cent of the total value of the immoveable properties entered on the valuation roll.

Id., 247a
added.

9. The following article is inserted in the act 1 Edward VII, chapter 44, after article 247.

Effect of
certain
bonds.

“**247a.** The amount of the bonds which the city has issued or will issue in accordance with sections 1, 2 and 3 of the act 9 Edward VII, chapter 2, as amended by the act 1 George V, (1st session), chapter 50, section 13, and with sections 1, 2, 3, 4 and 5 of the act 9 Edward VII, chapter 84, respecting the sufferers by the conflagration of the 22nd June 1908, shall not be considered in the city’s statement of accounts, as an ordinary bond debt but as an indirect debt, and the city of Three Rivers shall have the right to open a special account under the name of “The sufferers of the conflagration of the 22nd June 1908.”

Id., 162, am.

10. Paragraph 5 of article 162 of the act 1 Edward VII, chapter 44, is replaced by the following:

Reserve
fund.

“**5.** For the creation of a reserve fund of not less than five per cent. to be levied on the revenues of the said city, from whatever source they arise, and such reserve fund shall be for the purposes of meeting the unforeseen expenses of the said corporation.

Limit of
certain votes.

The sum voted each year by the council to meet the expenses of the year, shall in no case exceed the amount of the probable receipts of the current year according to a statement made out for such purpose.”

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11. Articles 5813 to 5863 of the Revised Statutes, 1909, shall apply to the city of Three Rivers with the exception of paragraph 1 of article 5829 which is replaced, for the city, by the following: R. S. 5813 &c. to 5863 to apply, &c.

“ 1. Any action brought under any by-law or resolution of the council for therecovery of any sum of money due the municipality for any tax, license, water-rate, paving, light, drainage, rent, money spent, constituted rent, and any sum due the council under an obligation, contract, agreement, judgment, municipal by-law or in any other manner.” Actions brought under by-laws &c.

12. Article 146 of the act 1 Edward VII, chapter 44, is replaced by the following: 1 Ed. VII, c. 44, s. 146 replaced.

“ **146.** When the council shall have disposed of all the complaints and corrected the valuation roll, if necessary, it shall declare it valid until the new roll is made.” Homologation of valuation roll.

13. Article 147 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., 147 replaced.

“ **147.** The valuation roll of the city shall be made every year by the assessor or assessors.” Amendment of valuation roll.

14. Article 244 of the act 1 Edward VII, chapter 44, as replaced by the act 2 George V, chapter 57, section 5, is again replaced by the following: Id., 244, replaced.

“ **244.** It shall not be lawful for the corporation of the city to devote any portion of the proceeds of the debentures issued under this charter, to any other purposes than that set forth in such debentures, and such debentures may be validly pledged or given as collateral security by the corporation.” Application of proceeds of certain debentures.

The debentures mentioned in the foregoing paragraph may validly be pledged or given as collateral security for all notes issued by the corporation for the purposes indicated in such debentures.” Pledging, &c of certain debentures.

15. The act 1 George V, (1st session), chapter 50, section 12, is amended by adding the following paragraphs after the first clause of paragraph 7. 1 Geo. V (1910), c. 50, s. 12, am.

“ 8. Fifty thousand dollars to pay for the work necessitated by the rebuilding of the city hall.

“ 9. Ten thousand dollars to pay for the expropriation of lots of land belonging to the sufferers by the conflagration of the 22nd June, 1908.

“ 10. Forty thousand dollars for building a new fire station or for any other improvements in the fire department.

“ 11. One hundred thousand dollars for improving the streets, for opening new ones and for other works in connection with municipal roads.

“ 12. Three hundred and seventy-five thousand dollars to pay for three thousand seven hundred and fifty shares taken by the city of Three Rivers in the stock of the Three Rivers Tramways Company, in accordance with by law No. 211 of the city of Three Rivers, adopted by the electors on the 16th October 1911.”

1 Ed. VII, c. 44, s. 19, am.

16. Article 19 of the act 1 Edward VII, chapter 44, as amended by section 5 of the act 1 George V, (2nd session) chapter 61 is further amended by striking out paragraph 4.

Coming into force.

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

C H A P. 56

An Act to amend the acts respecting the city of Hull.

[Assented to 21st December, 1912]

Preamble.

WHEREAS the city of Hull has, by its petition, prayed that an act be passed to amend its charter and 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:

56 V., c. 52, s 9, replaced.

1. Section 9 of the act 56 Victoria, chapter 52, is replaced by the following:

Election of pro-mayor.

“**9.** The council, at its monthly meeting, in the month of February, in each year, shall elect one of the aldermen to act as mayor, whenever the mayor may be absent, sick or unable to act; and the member of the council so elected pro-mayor shall, during such absence, sickness or inability, have and exercise all the powers authority and privileges, vested by law in the mayor.”

Id., s. 10 replaced.

2. Section 10 of the act 56 Victoria, chapter 52, as replaced by the act 4 Edward VII, chapter 56, section 1, is again replaced by the following:

Number of aldermen per ward, &c.

“**10.** The six wards of the city shall each be represented in the council by two aldermen whose seats shall be numbered from one to twelve; they shall not continue in office, without being re-elected, for a period longer than one year. They