

CHAP. 61

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

[Assented to 14th March, 1911]

WHEREAS, the city of Three Rivers, has, by its petition, Preamble. represented that it is in the public interest and of great importance as regards the proper working of its administration that its charter be amended for the following purposes : to change the present system of voting at municipal elections and to reduce the number of aldermen and their term of office; to change the taxes on certain persons, companies or firms and their stock in trade ; to prohibit certain games and amusements in hotels and public places ; to authorize the issue of additional debentures for the purchase or building of ferry boats, the improvement of streets and public places and for other purposes;

Whereas it has prayed that an act be passed for the above purposes and it is expedient to grant the prayer of such petition ;

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

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

“ **6.** The city of Three Rivers shall from the date of its next municipal elections be represented and governed and its affairs administered by an elective council consisting of the mayor and six aldermen elected in the manner hereinafter prescribed. Municipal Council.”

The mayor and aldermen shall be elected for two years by the majority of the municipal electors of the municipality who have voted and the voting shall be by ballot. Term of office, &c.”

2. Article 13 of the act 1 Edward VII, chapter 44, is amended by adding the following paragraph at the end thereof : Id., s. 13, am.

“ Nevertheless, for the general elections to be held in July, 1911, the presiding officer of the election shall be chosen by the members then forming part of the council and cannot be a candidate at such elections ; and if he refuses or declines to act, the council shall appoint to that office an elector of the city who is qualified to vote, which it may do in every case, even in the future. ” Presiding officer for certain election.

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

Preparation, &c., of list of electors. “ **14.** At least thirty days before the date of the elections, the city-clerk shall draw up an alphabetical list of the persons who, according to the valuation roll in force, are qualified as electors in the city under this act. He shall attest such list under oath, and give notice in one or more newspapers of the city that he has deposited it in his office for examination by interested parties. Every complaint against the said list shall be filed in the hands of the city-clerk within the six days following the said public notice, and shall be heard and determined by a committee of the whole council. Such committee shall, within eight clear days from the time allowed for receiving complaints, dispose of all the said complaints and revise and correct the list if necessary ; and if there be no appeal from such revision the city-clerk shall, within the two following days, draw up and deliver to the officer presiding over the election, certified copies of the list for use at each poll ; and no other persons than those whose names are entered on such list shall have the right to vote at such elections. ”

Complaints.

Revision, &c., of lists.

Id., s. 18, replaced. **4.** Article 18 of the act 1 Edward VII, chapter 44, is replaced by the following :

Election where new list not available. “ **18.** If, at the time of a municipal election no electoral list has been prepared or revised for the city, or if such list has not been sent to the proper person, as above prescribed, the election shall in such case be held on the list used in the previous election, but the electors who shall vote at such election must possess the electoral qualifications required by this act.

Id., s. 19, replaced. **5.** Article 19 of the act 1 Edward VII, chapter 44, as amended by the act 5 Edward VII, chapter 43, section 3, replaced by the act 8 Edward VII, chapter 86, section 2 and also amended by the act 9 Edward VII, chapter 84, section 7, is replaced by the following :

Who are electors. “ **19.** The following persons, if of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this charter, are entered on the lists of electors prepared in accordance with the following provisions, viz :

Property owners, &c. 1. Every male person and every widow or spinster whose name is entered on the valuation and assessment rolls in force as a *bonâ fide* owner or occupant of immoveable property, in the city, of the assessed value of two hundred dollars or upwards, according to said roll ; in cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the electors' list ;

2. The husband of any woman separated as to property, Husbands of owners, &c. when the latter is possessed, as owner or usufructuary, of immoveable property in the municipality, of the assessed value of two hundred dollars or upwards, according to the valuation roll in force, or when she carries on trade or keeps a place of business which renders her subject to the payment of a tax, and when such place of business is entered on the collection roll as being of the annual value of not less than forty-eight dollars ;

3. Every male person, being a resident householder in Tenants. the city under a lease, whose name is entered on the valuation and collection roll in force as tenant of a dwelling house or part of a dwelling house, of the annual value of forty-eight dollars or upwards, according to such rolls ;

4. Such person must, moreover, in addition to the above Payment of taxes. qualifications, have paid, at least forty days before the date fixed for the election, all taxes and municipal and school assessments due and exigible. ”

6. Section 4 of the act 8 Edward VII, chapter 86, is repealed. 8 Ed. VII, c. 86, s. 4, repealed.

7. Section 5 of the act 8 Edward VII, chapter 86, is replaced by the following : Id., s. 5, replaced.

“ 5. The following persons are not entitled to have their Persons not to be entered on list. names entered on the electors’ list :

The persons who, at the time the list is made, are no longer in possession as proprietors of the immoveable by which they were qualified; lessees no longer residing in the city, and also lessees of stores, counting houses, shops, offices or other places of business qualified to vote as such, but who have not actually occupied such store, counting house, shop, office or other place of business since the month of May immediately preceding, or who have ceased to occupy the same when the list was made. ”

8. Article 21 of the act 1 Edward VII, chapter 44, is replaced by the following : 1 Ed. VII, c. 44, s. 21, replaced.

“ 21. The mayor and aldermen composing the present Term of office of present council. council shall remain respectively in office until the general elections in July 1911, when their seats shall become vacant. ”

9. Article 24 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 24, replaced.

“ 24. Each nomination-paper for the office of alderman Signing of nomination papers. shall be signed by at least twenty-five electors qualified to vote.

Id., s. 25, re- **10.** Article 25 of the act 1 Edward VII, chapter 44, is placed.
replaced. replaced by the following :

Report of **“ 25.** At the expiration of the delay fixed for the nomi- nominations, nation of candidates for the office of mayor or of alder- &c. man, the city-clerk shall immediately report the nomina- tion-papers to the presiding officer, and if there be but one candidate nominated as mayor and not more than six candi- dates nominated for the office of alderman it shall be the duty of the presiding officer to proclaim such candidate or candidates elected on the first juridical day following, at ten o'clock in the morning at the door of the city-hall.”

Id., s. 26, re- **11.** Article 26 of the act 1 Edward VII, chapter 44, is re- placed.
placed. placed by the following :

Ordering of **“ 26.** If more than one candidate be nominated for the poll, &c. office of mayor and more than six for that of alderman the presiding officer shall order a poll, and he shall announce the same within twenty-four hours by notices posted up in the public places of the city, stating the names of the candidates, the office for which they present themselves, the date and hour of the poll, the place fixed for each of the polls, and the district belonging to each of such polls.”

Id., s. 27, re- **12.** Article 27 of the act 1 Edward VII, chapter 44, is placed.
placed. replaced by the following :

Deputy pre- **“ 27.** If there be a contestation, the presiding officer siding offi- shall also immediately appoint a deputy presiding officer for cers. each poll ordered in the city, and each of such deputies shall in his turn immediately appoint, by commission under his signature and according to form A annexed to this act, a competent person to assist him in the performance of his Poll clerks. duties as poll-clerk. The said two officers, if they are elec- tors, may vote at the poll of which they are in charge, pro- vided they have a permit or certificate from the presiding offi- cer of the election, authorizing them to do so.”

Id., s. 28, re- **13.** Article 28 of the act 1 Edward VII, chapter 44, is re- placed.
placed. placed by the following :

Number of **“ 28.** It shall be the duty of the presiding officer at the clerks for election, to see that the number of electors does not exceed poll. two hundred for each poll, and he shall order such number of polls in the city as may be necessary to that end.”

Id., s. 41, re- **14.** Article 41 of the act 1 Edward VII, chapter 44, as re- placed.
placed. placed by the act 5 Edward VII, chapter 43, section 5, is again replaced by the following :

Declarations **“ 41.** Each elector, being introduced, one at a time for

each compartment, into the room where the poll is held, by electors, shall declare his name, surname and occupation, which shall &c. be at once recorded by the poll clerk in a poll-book kept for that purpose, according to form G. annexed to this act.

If such name be found on the list of electors for such poll, the voter shall receive from the deputy-presiding officer one ballot-paper for the election of the mayor, if there is any voting and one ballot-paper for the election of the aldermen, if there be any voting. The deputy-presiding officer is strictly bound, before handing them to the voter, to put his initials thereon and on the annex thereof a number corresponding to that opposite the voter's name on the poll-book." Delivery of ballot papers to electors.

15. Article 61 of the act 1 Edward VII chapter 44, is replaced by the following : Id., s. 61, replaced.

" **61.** The deputy-presiding officer, in counting the ballot-papers, shall reject all ballot-papers which have not been supplied by him, all those by which more than one vote has been given as regards the election of mayor or more than six votes as regards the election of aldermen and all those upon which there is any writing, marks, or indications by which the voter might be identified. " Rejection of ballot papers.

16. Article 100 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 100, replaced.

" **100.** The expenses of every election shall be paid out of the city funds. The fee of each deputy-presiding officer shall be five dollars for his services and three dollars for those of his poll-clerk. " Election expenses.

17. Article 124 of the act 1 Edward VII, chapter 44 is replaced by the following : Id., s. 124, replaced.

" **124.** The absolute majority of the council shall consist of one half at least of the aldermen in office and of the mayor, and shall constitute a quorum for the transaction of business. But, when the adoption of a by-law has to be decided upon, the quorum shall be at least five members, including the mayor. " Quorum.

18. Article 127 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 127, replaced.

" **127.** The city-clerk shall call special meetings whenever he is required by the mayor, or in his absence by the pro-mayor or by two aldermen. The members of the council shall be bound to be present at such special meetings as at the monthly meetings. Every special meeting must be called by a notice of at least twenty-four hours given to each Special meetings.

member of the council, and specifying in writing the object of such meeting and the day and hour at which it is to take place."

Id., s. 165,
am.

19. Paragraphs 3 and 40 of article 165 of the act 1 Edward VII, chapter 44, are replaced by the following :

Throwing of
ashes, &c., on
streets, &c.

" 3. For preventing the throwing or depositing of ashes, paper, refuse, offal, dirt or any offensive matter or obstruction in or upon any streets, alleys, yards, public grounds, or municipal streams or waters, and for compelling the proprietors or occupants of every immovable to remove such matters or obstructions or to pay the cost of removing the same ;

Receptacles
for refuse,
&c.

And especially for placing or causing receptacles to be placed at all places indicated by the council in public places or elsewhere, near dwellings or other buildings and for providing for the removal of such refuse and other similar substances; also for imposing a tax or assessment to defray the cost thereof and for the erection and maintenance of one or more incinerators for the purpose.

Id., s. 254,
am.

20. Paragraph 1 of article 254 of the act 1 Edward VII, chapter 44, is replaced by the following :

Tax on stocks
in trade, &c.

" 1. On the stock in trade of all descriptions kept by merchants and dealers and exposed for sale in shops, or kept in vaults or store-houses; on all yards or depots, for rough, sawn or manufactured wood or lumber and on all yards or depots for coal or other articles of commerce kept for sale a tax not exceeding twenty-five cents per one hundred dollars on the average estimated value of such stocks in trade or other articles of commerce or trade."

Id., s. 257,
am.

21. Article 257 of the act 1 Edward VII, chapter 44, as amended by the acts 5 Edward VII, chapter 43, sections 12 to 14 and 8 Edward VII, chapter 86, section 18, is further amended by adding the following clause at the end thereof :

Tax on non-
residents.

With the exception of the cases provided for in paragraph 30 of this article, the taxes imposed thereunder, may be imposed and levied for double the amount on all persons, companies, corporations or firms not residing or not having their principal place of business in the city. "

Certain by-
laws ratified.

22. The by-law passed by the corporation of the city of Three Rivers on the 18th January 1911 and the by-law passed by the school commissioners of the city of Three Rivers, the 17th January 1911 and all powers, rights and privileges in and by said by-laws granted to Messrs James N. Greenshields, Charles R. Whitehead and Leslie G. Craig, for the establishment of

a cotton and print factory in the city of Three Rivers, are ratified and confirmed by this act, and declared legal and binding.

23. The council of the city of Three Rivers may enact by-Registration, law that all births and deaths in the city be reported and reg- &c., of births, istered. &c.

24. Schedule A to the act 1 Edward VII, chapter 44, is Id., Schedule replaced by the following : A, replaced.

A

Commission of a Poll-Clerk.

(See Art. 27)

To Mr. (name and occupation)

Know you that in my capacity of deputy presiding-officer for poll No. I hereby appoint you my clerk to act in such capacity at the coming municipal election for the city of Three Rivers to take place on the day of the month of 19 .

Three Rivers the day of , 19 .

(Signature)

Deputy-Returning-Officer.

25. Schedule B, to the act 1 Edward VII, chapter 44, is re- Id., Schedule placed by the following : B, replaced.

B

Oath of a Poll-Clerk.

(See Art. 33)

I, the undersigned, appointed poll-clerk for Poll No. do solemnly swear that I will act in such capacity of poll-clerk

27. Schedule D to the act 1 Edward VII, chapter 44, is Id., Schedule D, replaced by the following :

D

Receipt for Nomination-Paper.

(See Art. 22)

Received, this day of 19 .
 at my office in the city hall, Three Rivers, at
 o'clock in the noon from a duly qual-
 ified municipal elector of the city, a nomination paper,
 in writing, of as a candidate at the
 election to be held on the day of
 next, of a mayor (*or aldermen*) for the said city, which is signed
 by the municipal electors whose names follow, that is to say:

(*Names of subscribers.*)

In witness whereof I have signed and delivered the present
 receipt to the said ,
 and I have affixed thereto the seal of the corporation of the
 said city, at Three Rivers, this day of ,
 nineteen hundred and ,

[L. S.]

City-Clerk.

28. Schedule F to the act 1 Edward VII, chapter 44, is Id., Schedule F, replaced by the following :

F

*Oath of the Agent of a candidate or of an Elector representing a
 Candidate*

(See Art. 38)

I, the undersigned, agent, of (*or elector*
 representing,) one of the candidates at the election now pend-
 ing of a mayor (*or aldermen*) for the city of Three Rivers,
 solemnly swear that I will keep secret the names

of the candidates for whom any voter may have marked his ballot-paper in my presence at this election.

Sworn before me, at Three Rivers, }
this day of 19 } (Signature.)

Deputy-Presiding-Officer.

Id., Schedule I, replaced. **29.** Schedule I to the act 1 Edward VII, chapter 44, is replaced by the following :

I

Oath of the Deputy Presiding-Officer after the closing of the Poll

(See Art. 65)

I, the undersigned, deputy presiding-officer for the municipal elections for poll No. , in the city of Three Rivers do solemnly swear that, to the best of my knowledge and belief, the poll-book kept for the said poll under my direction, has been so kept correctly ; and that the total number of votes entered in such poll-book is and that the said poll-book contains a true and exact record of the votes taken at the poll of such ward as received thereat ; that I have faithfully fulfilled the duties imposed upon me by law ; and that the various documents that the law obliges me to transmit to the officer presiding over the election, have been faithfully and truly prepared and deposited in the ballot-box in the same manner as this oath shall be, so that the said ballot-box, sealed with my seal, shall be transmitted to the officer presiding over the election, according to law.

Deputy Presiding-Officer.

Sworn before me, at this day of , 19 }

J. P.

or Presiding-Officer.
or Poll-Clerk.

30. Schedule J to the act 1 Edward VII, chapter 44, is replaced by the following : Id., Schedule J, replaced.

J

Oath of the Poll-Clerk after the Closing of the Poll

(See Art. 65)

I, the undersigned, poll-clerk for poll No. _____, for the city of Three Rivers _____, solemnly swear that the poll-book kept for the said poll, under the superintendence of _____, the deputy-presiding officer for the said poll, has been so kept by me in a correct manner and to the best of my ability and judgment ; that the total number of votes inserted in the said poll-book is _____ ;and that to the best of my knowledge and belief the said book contains a true and exact statement of votes taken at the said poll, by the deputy-presiding officer of the poll.

Sworn before me, at _____ }
 this _____ day 19 _____ } Poll-Clerk.

J. P.,

or Presiding Officer,
 or Deputy Presiding-Officer.

31. The corporation of the city of Three Rivers is hereby authorized to issue bonds for, or otherwise borrow, the following amounts : Issue of bonds, &c.

1. Twenty-five thousand dollars to be devoted exclusively to the building, repair or maintenance of ferry-boats, to facilitate access to the city by water ;

2. Fifty thousand dollars to be devoted exclusively to the improvement of streets, roads or public places.

Such loans shall be effected on the conditions set forth in the second, third and fourth clauses of paragraph 4 of article 247 of the act 1 Edward VII, chapter 44.

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