

That the said firm proposes to extend its buildings for the more effective carrying on of its business and cannot do so until it be determined whether such expropriation may be made or not;

That therefore it is expedient that the said city of Montreal do remove from the plan of the said city the homologated line of the said street on the property of the said firm;

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

Certain line removed from Montreal plan.

**1.** The homologated line of the continuation of Papineau Avenue on the property of John H. R. Molson and Brothers between Notre Dame street and the right-of-way of the Canadian Pacific Railway in the city of Montreal is removed from the general plan of the city of Montreal.

Coming into force.

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

## CHAP. 50

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

[Assented to 4th June, 1910]

Preamble.

**W**HEREAS the corporation of the city of Three Rivers, has, by its petition, represented that it is in the interest of the city and of the administration of its affairs, that amendments be made to its charter, the act 1 Edward VII, chapter 44, and to the acts amending the same;

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:

1 Ed. VII, c. 44, s. 77 replaced.

**1.** Article 77 of the act 1 Edward VII, chapter 44, is replaced by the following:

Penalties.

“**77.** Every person who shall be guilty of any of the acts set forth in article 76 shall incur and pay for each offence a fine of forty dollars on suit being brought by an elector of the city before the Circuit Court of the district of Three Rivers. Every person so contravening who shall be found guilty in the cases aforesaid, shall forfeit his right to vote or to be elected mayor or alderman at any municipal election that may take place within twelve months from the date of his condemnation or the

right of filling any such office if elected thereto ; and in default of payment of the above fine, the person found guilty shall be liable to an imprisonment not exceeding three months.

Such suit shall set forth summarily the date, the place and the circumstances of all acts, matters or things which may justify the conclusions of such suit, and every charge of bribery supported by one or more special affidavits shall be clearly set forth, with the date and the place where the offence has been committed, and the names of the person who has committed it, in such manner as to immediately place the defendant on his guard, and all general and vague allegations shall be struck from the record by the court, on a motion to that effect".

Allegations  
in suits for  
penalties.

**2.** Article 90 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., s. 90 replaced.

" **90.** Every prosecution concerning a penalty imposed by this act in connection with municipal elections, may be brought within thirty days after the election, and not afterwards, by any elector of the city by an action of debt before any court having civil jurisdiction for the amount demanded." Prescription.

**3.** Article 91 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., s. 91 replaced.

" **91.** The trial of such suit shall be carried on in the ordinary manner, and the amount of the fine against the person convicted shall belong to the corporation." Procedure.

**4.** The first two paragraphs of article 137 of the act 1 Edward VII, chapter 44, as replaced by the act 9 Edward VII, chapter 84, section 6, are replaced by the following: Id., s. 137 amended.

" **137.** During each fiscal year the council shall appoint one or two persons to examine and audit the city accounts and books. They shall take the following oath of office." Auditors.

**5.** Article 144 of the act 1 Edward VII, chapter 44, is replaced by the following: Id., s. 144 replaced.

" **144.** It shall be the duty of the council at the first meeting after the expiration of the delay for receiving complaints in connection with the valuation roll, to commence hearing and deciding such complaints, and such meeting may be adjourned. The council shall give notice of at least two days to the interested parties, before hearing and judging such complaints." Hearing, &c., of complaints.

The parties and the witnesses shall be heard under oath taken before the mayor or the person replacing him." Oath.

Id., s. 162  
amended.

**6.** The first paragraph of article 162 of the act 1 Edward VII, chapter 44, is replaced by the following:

Supplies.

“ **162.** During the month following the homologation of the roll in each year, the said council shall vote the sums necessary to meet the expenses of the current year, and provide: ”

Id., s. 165  
amended.

**7.** Article 165 of the act 1 Edward VII, chapter 44, as amended by the acts 5 Edward VII, chapter 43, section 9, and 8 Edward VII, chapter 86, section 9, is further amended by replacing paragraphs 6, 8 and 14 by the following:

Aid for building of railways, &c.

“ 6. For granting aid towards the construction of railways electric telegraph or telephone lines, of a hotel within the city limits of the value of at least one hundred and fifty thousand dollars and containing not less than 125 bed rooms, to manufacturing establishments and navigation companies, and electric tramways, by granting for that purpose a partial or complete exemption from taxes for a period not exceeding ten years or by granting such extent of land as the council may deem proper to give, or by taking shares in companies formed and incorporated for such objects, and in the latter case the council shall select one or more of its members to represent its interests and act as such director in such companies;

Allowance to mayor for certain purposes.

“ 8. For allowing every year to the mayor of the city a suitable amount for covering expenses connected with representing the city, receptions, special proceedings and other similar expenses imposed on him by his position as non-salaried head of the council, provided such sum does not exceed five hundred dollars;

Aiding certain institutions.

“ 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 shall not exceed the sum of one thousand dollars. When the aid granted exceeds such amount, a by-law to that effect shall be submitted to the approval of the rate-payers who are property-owners as provided by article 186 of this charter;”

Id., s. 172.  
amended.

**8.** Article 172 of the act 1 Edward VII, chapter 44, as amended by the act 8 Edward VII, chapter 86, section 11, is further amended by replacing paragraph 17 by the following:

Plans, &c., of city.

“ 17. For having plans or maps made of all the territory comprised in the municipality and subject to its jurisdiction, indicating the public streets, lanes and squares, or the new dimensions

which the council of the municipality intends to give them, and such plans or maps, when confirmed by the Superior Court on a petition to that effect, presented at least fifteen days after the publication of public notice, shall be binding upon the municipality, the proprietors interested, and all other persons.

Immediately after it is completed, a duplicate of each of such plans shall be deposited in the office of the prothonotary of the Superior Court for the district of Three Rivers, and another duplicate in the archives of the corporation, and when such plans are confirmed and ratified by the court, the clerk of the municipality shall enter upon the duplicate of each of such plans deposited in the archives of the corporation, the mention of such confirmation, as follows: "Certified by the Superior Court on the. . ."

When any new street or public square indicated on the plan is opened, or any street or public place indicated on the said plan is widened or extended, no compensation or damages can be claimed for any building or improvements which the proprietors or other persons have made, or caused to be made, subsequently to the confirmation of the said plan, upon any land reserved either for new streets or public squares or for widening, extending or enlarging the same, provided however that nothing in this act shall be interpreted as taking away from the municipality the right to widen or extend any street or public square indicated on the plan, after confirmation thereof, or to renounce the opening of any new street, or the widening or extension of any existing street, as indicated on the plan; but no alteration of such kind can be made unless it be decided upon by by-law at a meeting of the council, at which the majority of its members shall be present, upon petition to that effect signed by the majority of the proprietors on the street or part of the street where it is proposed to make such changes.

After which, any judge of the Superior Court may, upon a petition to that effect presented by the corporation, after the same notice as that mentioned in the first clause of this paragraph, order that the duplicate of the said plan shall be modified accordingly, as above stated."

**9.** Article 186 of the act 1 Edward VII, chapter 44, is replaced by the following :

" **186.** Whenever the council shall have passed a by-law affecting real estate in the city, it shall submit the same to the approval of the rate-payers; but the proprietors of real estate including companies owning real estate in the city of the value of at least two hundred dollars according to the valuation roll then in force, shall alone be entitled to vote on any such by-law.

Voting of certain companies, &c. Any company owning immoveables liable to general or special taxes and of sufficient value under this article, shall have the right to vote through its duly authorized agent or attorney, provided it gives the names of such agent or attorney to the city clerk at least five days before the date fixed for the approval or disapproval of the by-law."

Id. 251 replaced. **10.** Article 251 of the act 1 Edward VII, chapter 44, as replaced by the act 8 Edward VII, chapter 86, section 10, is replaced by the following :

Exemption from taxation. " **251.** The following properties shall be exempt from taxation in the city of Three Rivers :

All lands and property belonging to His Majesty, his heirs or successors, held by a public body or by any person for the use of His Majesty, his heirs or successors ;

All provincial properties and buildings ;

All premises used for public worship and all cemeteries, bishop's palaces, rectories' and their dependencies ;

All public school-houses and the grounds on which they are built ;

All houses or public establishments of education as well as the grounds on which they are built ;

All buildings, grounds and property occupied or owned by hospitals or other charitable institutions ;

All courts of justice or district gaols with their grounds ;

Proviso. Provided always that such exemption shall not apply to the lots or edifices built on lots, rented or occupied by tenants under the government or ordnance department in the city ; and such lots belonging to the government or ordnance department, or to religious corporations and occupied by tenants shall be valued and assessed in the same manner as other real estate in the city, and the taxes thereon shall be paid by the said lessees or occupants.

Certain obligations not affected. The provisions of this section shall not be interpreted as relieving the owners, holders or occupants of the said properties from the obligation of maintaining and repairing the sidewalks, streets and roads in front of or along the said properties, and to which all other owners, holders or occupants of lots in the said city are liable, nor from that of paying the taxes for drainage, paving, water and light."

Inquiries into affairs of city, &c. **11. 1.** The council shall have power to order on such conditions as it may deem expedient, inquiries into the affairs of the city and to compel witnesses to appear. Such inquiries shall be presided over by the person appointed by the council for the purpose.

Reasons for **2.** If a ratepayer asks for an inquiry, he shall summarily

state in writing the reasons and matters for which he asks the application inquiry. to be stated.

3. When such inquiry is held, no proof shall be admitted Evidence. that is not directly connected with the matters alleged in the written demand of the parties asking for the inquiry."

**12.** The corporation of the city of Three Rivers is hereby Borrowing specially authorized to borrow the following amounts : powers.

1. Two hundred thousand dollars to be exclusively employed in aiding the victims of the fire of the 22nd June, 1908 ;

2. Fifty thousand dollars to be exclusively employed in paving or macadamizing the streets of the city ;

3. Fifty thousand dollars to be exclusively employed for the improvement and continuation of the waterworks ;

4. Fifty thousand dollars to be exclusively employed for the necessary works for drainage and sewerage ;

5. Twenty-five thousand dollars to be exclusively employed to the purchase of fire engines, the installation of a fire alarm system and other accessories and improvements required by the fire department ;

6. Twenty-five thousand dollars to be exclusively employed in widening and improving streets and roads ;

7. Twenty-five thousand dollars to be exclusively employed in purchasing or building a ferry-boat.

For the purpose of effecting such loans or portions thereof, Issue of de- the corporation of the city may issue debentures redeemable bentures. within a period of thirty years at least and of sixty-five years at the most, from the date of their issue, bearing interest at a rate not exceeding five per cent per annum, payable half-yearly with a sinking-fund of at least one per cent.

Such debentures may be issued by the corporation of the city Their as it may deem necessary for the purposes aforesaid, for such amounts, &c. amounts, payable in this Province or elsewhere, at such date and in such manner as may be agreed upon with the holders of the said debentures.

Such debentures shall bear the seal of the corporation, How signed, shall be signed by the mayor, countersigned by the treasurer &c. of the city, and recorded by the latter in a register kept for such purpose.

**13.** Section 2 of the act 9 Edward VII, chapter 2 is amend- 9 Ed. VII, c. ed by inserting, at the end of the second line, the words : " In 2, s. 2, so far as the city of Three Rivers is concerned." amended.

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