

CHAP. 6

An Act to amend the act respecting the repayment of subsidies
by railway companies

[Assented to 14th April, 1908]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Paragraph 1 of section 1 of the act 1 Edward VII, chapter 1 Ed. VII, c. 2, is amended by adding thereto the following paragraph : 2, s. 1, par. 1 amended.
“The working expenditure does not include the amount “Working paid or due for taxes, for interest on hypothecs or on obligations, or for sinking fund.” expenditure”

2. Paragraph 1 of section 2 of the said act, is amended by Id., s. 2, par. 1, amended.
adding thereto the following paragraph :

“In calculating net profits, the amounts paid or due for “Net profits” taxes, for interest on hypothecs or on obligations, or or sinking fund, shall not be deducted from the gross receipts of the company.”

3. This act shall not be interpreted as declaring that the Proviso.
previous law is different from that herein expressed.

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

CHAP. 7

An Act respecting the Revised Statutes

[Assented to 25th April, 1908].

WHEREAS the commission charged with the revision and Preamble
consolidation of the Statutes of this Province of a general and permanent character, has transmitted to the Lieutenant-Governor, reports containing the consolidation of such of said statutes, as, in its opinion, are still in force, and that such reports have been submitted to the Legislature. in order to be declared law by act of said Legislature ;

And whereas statutes of a public and general nature, have been passed since such reports were completed, and that it is expedient that such statutes should be incorporated in the said reports ;

And whereas it is expedient to enact that the said reports and the statutes to be incorporated therewith shall have force of law ;

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

Original roll
of R. S. Q.,
1908.

1. The reports signed by the members of the commission charged with the revision and consolidation of the statutes of this Province, of a general and permanent character, which reports are deposited among the archives of the Provincial Secretary, and marked "A", shall be deemed to be the original roll of the Revised Statutes of the Province of Quebec, 1908.

Marginal
notes, &c.,
inserted for
reference
only.

Nevertheless the marginal notes printed on the said roll, the references to former enactments at the foot of the several articles thereof, and the explanatory notes, shall form no part of the said statutes, and shall be held to have been inserted for reference only, and may be omitted or corrected ;

Misprints,
&c., may be
corrected, &c.

Any misprint or error, whether of commission or omission, or any contradiction or ambiguity, in the said roll, may also be corrected by the special commissioner hereinafter mentioned but without changing the legal effect, and such alterations in the language of the said statutes as are requisite to preserve a uniform mode of expression and do not alter the legal effect, may be made in the above mentioned roll.

Special com-
missioner.

His func-
tions, &c.

2. 1. The Lieutenant-Governor in Council may appoint as special commissioner, with such remuneration as he may think proper, a competent person to incorporate in the roll deposited among the archives of the Provincial Secretary, and marked "A", the statutes of a public and general nature which have come into force since such roll was completed, as well as those passed during the present session ; to prepare the schedules of the statutes which will be repealed from and after the day when the said Revised Statutes shall have come into force ; to prepare and cause to be printed the above mentioned roll ; and to do all other things necessary for the putting the said Revised Statutes into force.

Assistants to
commis-
sioner, &c.

2. The Attorney-General may authorize the special commissioner to employ such assistants or other persons as he may require in the performance of his duties, and may fix the amount of their remuneration.

Acts to be
incorporated
with original
roll, &c.

3. The Lieutenant-Governor in Council may select such acts and parts of acts passed since the reports of the commissioners charged with the revision and consolidation of the statutes have been completed, as he may deem advisable to incorporate with the roll marked A, and may cause them to be so incorporated

therewith by the special commissioner, adapting their form and language to those of such roll (but without changing their legal effect), inserting them in their proper places in the said roll, striking out of the latter any enactments repealed by or inconsistent with those so incorporated, and altering the numbering of the titles, chapters, sections, paragraphs and articles or their order, if need be.

4. So soon as the said incorporation of such acts and parts of acts, the schedule of the acts or parts of acts to be repealed on the coming into force of the Revised Statutes, and the index, have been completed by the special commissioner, the said commissioner shall cause to be printed in French and English, the roll as amended and corrected, with the schedule of the repealed statutes, and the index, and shall transmit the same to the Lieutenant-Governor, who may cause a French copy and an English copy thereof, attested under his signature and countersigned by the Provincial Secretary, to be deposited in the office of the Clerk of the Legislature, which roll shall be the original of the said Revised Statutes, and shall be held to embody the several acts and parts of acts mentioned as repealed in the schedule thereto annexed, but the marginal notes printed on such roll, and the references to former enactments at the end of each article shall not form part of the said statutes, but shall be held to have been inserted for greater convenience only.

Printing,
&c., of
amended
roll.

Attestation
of two copies
as original,
&c.

5. The Lieutenant-Governor in Council, after such deposit of the said last mentioned roll, may, by proclamation, declare the day on, from and after which the same shall come into force and have effect as law, under the name of the "Revised Statutes of the Province of Quebec, 1908," or "Revised Statutes 1908."

Proclamation
bringing R.
S., 1908, into
force.

6. 1. On, from and after such day, the said roll shall accordingly come into force and effect under the name of the "Revised Statutes of the Province of Quebec, 1908," or "Revised Statutes, 1908."

Short title.

2. From and after the same day, all the enactments in the several acts and parts of acts mentioned as repealed in the schedule annexed to such roll, shall, in so far as they are within the legislative authority of this Province, be repealed to the extent therein indicated.

Certain
enactments
repealed.

7. The repeal of the said acts or parts of acts, shall not have the effect :

Effect of
repeal

1. Of reviving any law or any provision of law which they repeal ;

2. Of impairing the effect of any reserve expressed in said acts or parts of acts, nor of preventing any of said acts or parts of acts, or any law or any provision of law heretofore in force, from applying to any transaction, matter or thing prior to the said repeal, to which they would otherwise apply.

Repeal not to
affect penal-
ties, actions,
deeds, &c.

8. The repeal of the said acts and parts of acts shall not affect :—

a. Any penalty, forfeiture or liability, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal ;

b. Or any action, suit, judgment, decree, certificate, execution, process, order, rule, or any proceeding, matter or thing whatever respecting the same, commenced, instituted, had, entered into, granted, pending, existing, or in force at the time of such repeal ;

c. Or any act, deed, right, title interest, grant, warranty, descent, will, registry, statute, rule, order in council, proclamation, regulation, by-law, resolution, contract, lien, charge, civil status, capacity, immunity, matter or thing, had, done, made, passed acquired, established or existing at the time of such repeal ;

d. Or any office, appointment, commission, salary, allowance, security, duty, or any matter or thing appertaining thereto at the time of such repeal ;

e. Or any marriage, certificate or registry thereof, lawfully had, made, granted, or existing before or at the time of such repeal ;

2. Nor shall the repeal of such acts and parts of acts defeat, disturb, invalidate or prejudicially affect any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal ;

3. BUT EVERY SUCH :

a. Penalty, forfeiture and liability ;

b. Action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing ;

c. Act, deed, right, title, interest, grant, warranty, descent, will, registry, statute, order in council, proclamation, regulation, by-law, resolution contract, lien, charge, civil status, capacity, immunity, matter or thing ;

d. Office, appointment, commission, salary, allowance, security, and duty, matter or thing ;

e. Marriage, certificate and registry thereof, and every such other matter and thing,

May and shall remain and continue as if such repeal had not

taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes and other the statutes and laws having force in this Province, and subject to the provisions of the said several statutes and laws.

9. 1. The said Revised Statutes shall not be held to operate as new law, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said acts and parts of acts so repealed, and for which the said Revised Statutes are substituted. Revised Statutes not new law, &c.

2. Nevertheless if upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed acts and parts of acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Statutes take effect, the provisions contained in them shall prevail ; but as respects all transactions, matters and things before such time, the provisions of the said repealed acts and parts of acts shall prevail. Where Revised Statutes in conflict with prior statutes.

10. Any reference in any former act remaining in force, or in any proclamation, order in council, instrument and document, to any act or enactment so repealed, shall, after the Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the Revised Statutes having the same effect as such repealed act or enactment. Certain references in former acts.

11. The insertion of any act in the said schedule of repealed acts shall not be construed as a declaration that such act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes. Effect of insertion in schedule, of repealed acts.

12. Copies of the said Revised Statutes, purporting to be printed by the King's Printer, shall be received as evidence of the said Revised Statutes and of their contents. Certain printed copies as evidence.

13. If upon any point there be a difference between the English and French versions of the Revised Statutes, that version which is most consistent with the acts consolidated in the said statutes shall prevail. Difference between the two versions.

14. The laws relating to the distribution of the printed copies of the statutes, shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Lieutenant-Governor in Council may direct. Distribution of Revised Statutes.

This act to be printed with R. S., &c. **15.** This act shall be printed with the said Revised Statutes and shall be subject to the same rules of construction as the said statutes.

Citation of articles of R. S., &c. **16.** The Revised Statutes shall have but one series of articles, and may be cited by the article, adding the words: "of the Revised Statutes of the Province of Quebec, 1908," or simply "of the Revised Statutes, 1908."

Remuneration of commissioner, &c. **17.** The remuneration of the commissioner and of the persons employed by him, and the expenses which he may incur for printing, stationery, and other things necessary for the complete performance of his duties in virtue of this act, shall be paid by warrant of the Lieutenant-Governor out of the Consolidated Revenue Fund.

Supplement to R. S. **18.** It shall further be lawful for the Lieutenant-Governor in Council, to cause to be prepared and printed in one volume, under the direction of the said special commissioner, a supplement to the Revised Statutes, including the acts and parts of acts of a public and general nature within the powers of the Legislature, and which it has not been thought proper to insert in the said Revised Statutes, as not being permanent or as only affecting cases which have become special cases.

Ss. 2 and 17 to apply to supplement. The provisions of sections 2 and 17 of this act shall apply to the preparation and printing of such supplement.

4 Ed. VII, c. 3, repealed. **19.** The act 4 Edward VII, chapter 3, is repealed.

Coming into force. **20.** This act shall come into force on the first day of May, 1908.

CHAP. 8

An Act to authorize the revision, consolidation and modification of the Municipal Code

[Assented to 14th April 1908]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Comission to consolidate, &c., Municipal Code. **1.** The Lieutenant-Governor in Council may appoint a commission to revise, consolidate and modify the Municipal Code of the Province.

Commissioners. **2.** Such Commission shall be composed of three commis-