

CHAP. 86

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

[Assented to 25th April, 1808]

Preamble.

WHEREAS, the corporation of the city of Three Rivers has by 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 act 5 Edward VII, chapter 43, amending the same, be amended ; 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 :

1 Ed. VII, c. 44, ss. 10, 11, replaced. **1.** Articles 10 and 11 of the act 1 Edward VII, chapter 44, as replaced by the act 5 Edward VII, chapter 43, section 1, are replaced by the following :

Qualifications for mayor.

“ **10.** No person can be validly nominated or elected mayor of the city of Three Rivers, or fill such office, unless he shall have resided and held his principal place of business within the city for one year immediately preceding such election, nor unless he is possessed, as owner in his own name or in the name of his wife, for at least three months previous to the said nomination, of real estate within the city, of the value of two thousand dollars, over and above all hypothecary debts, according to the valuation roll in force ; provided also that one month previous to such nomination the said immoveables have been entered on the valuation roll in force in his own name or in the name of his wife.

Qualifications for alderman.

“ **11.** No person shall be capable of being validly nominated or elected alderman of the city of Three Rivers, or fill such office, unless he shall have resided and held his principal place of business within the city for one year immediately preceding such election, nor unless he is possessed as owner in his own name or in the name of his wife, for at least three months prior to the said nomination, of real estate within the city of the value of twelve hundred dollars, over and above all hypothecary debts, according to the valuation roll in force ; provided also that one month previous to such nomination the said immoveables have been entered on the valuation roll in force in his own name or in the name of his wife.”

Id., s. 19, replaced.

2. Article 19 of the act 1 Edward VII, chapter 44, as

amended by the act 5 Edward VII, chapter 43, section 3, is replaced by the following :

“ **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 electors, and are entered on the lists of electors prepared in accordance with the following provisions, viz :

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 names of the usufructuary shall alone be entered on the electors' list ;

2. The husband of any woman separate as to property, when the latter is seized, as owner or usufructuary, 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 sixty dollars ;

3. Every male person, being a resident householder in 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, in the ward for which the list is made, of the value of sixty dollars or upwards, according to such rolls”.

3. When two or more persons are joint proprietors, joint tenants or joints occupants of land or buildings estimated on the valuation roll or collection roll in force at a real or annual value sufficient to qualify each for electoral purposes, each of such joint proprietors, joint tenants and joint occupants is qualified as an elector, and shall be entered on the electors' list.

4. Persons entitled to vote as aforesaid, vote in and for the particular ward in which the property constituting their qualification to vote is situated ; but, when any such person is qualified as owner or occupant in more than one ward, or as tenant, owner or occupant in one ward, and at the same time as owner or householder in any other ward, he may vote for the election of alderman in each of the wards wherein he is qualified so to do, and he is entered in the list of electors for each of such wards ; provided that for the election of mayor,

such person shall vote once only ; and such vote shall be cast, if the elector be qualified in respect of residence, only at the polling place of the ward in which his domicile is situated.

5. The following persons are not entitled to have their names entered on the electors' list :

Disqualifications.
Persons no longer proprietors, &c.

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 ; the lessees no longer residing in the ward, 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.

Payment of taxes before entry on list.

6. No person qualified to vote can be entered on the list of electors unless he has paid, at least thirty days before the day fixed for the election, all municipal and school assessments due and exigible.

Id., s. 117, replaced.

7. Article 117 of the act 1 Edward VII, chapter 44, is replaced by the following :

Vacancy in office of mayor.

“ **117.** In the event of the office of mayor becoming vacant through any cause whatsoever, an election to fill such vacancy shall at once be ordered in accordance with the provisions of this charter, within thirty days from the date when such vacancy occurred, and the person elected shall fill the office of mayor until the expiration of the term of office of the person whom he replaced.”

Id., s. 156, amended.

8. Article 156 of the act 1 Edward VII, chapter 44, is amended by adding the following paragraph thereto :

Appointment of one assessor.

“ The council shall have power to appoint a single assessor if it deem expedient.”

Id., s. 165, amended.

9. Article 165 of the said act is amended by adding the following paragraph thereto :

Regulating, &c., burials within city, &c.

“ **59.** For regulating and preventing the burial of bodies within the city limits, for regulating and determining the manner in which corpses, placed in vaults or graves or in any other place for the purpose of burial, may be removed therefrom ; for regulating and controlling the establishment of cemeteries ; for removing corpses buried contrary to law and for closing any cemetery and having the bodies therein removed, and expropriate any land that may have served for such cemetery ; the proceedings in expropriation to be

in accordance with the provisions of the railway act, respecting expropriations.

This provision shall not apply to cemeteries in which interments are actually made, nor, in any case to churches.” Proviso.

10. Article 251 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 251, replaced.

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

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, bishops’ palaces, parsonages, 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 ;

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. Proviso. ;

The provisions of this article 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, water and light.” Interpretation of section.

11. Paragraph 5, of article 172, of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 172, par. 5, replaced.

“ 5. For paving, macadamizing or planking all or any portion of the streets of the city and paying the cost thereof out of the city funds, also for imposing and levying a special tax on immoveables whenever it may be necessary to meet the expenses incurred for such improvements.” Paving, &c., streets, &c.

12. The council may, by by-law to that effect, exact from and impose upon persons not residing in the city and who Business tax on non residents.

come therein to ply their trade or occupation, a higher tax not exceeding twice that fixed for persons residing therein.

Loans for
certain pur-
poses.

13. The corporation of the city of Three Rivers is specially authorized by this act to borrow the amounts hereinafter indicated :

1. Fifty thousand dollars to be exclusively employed for paving and macadamizing the streets of the city.

2. Fifty thousand dollars to be exclusively employed improving and continuing its construction of the water-works .

3. Twenty-five thousand dollars to be exclusively employed in the necessary works for drainage and sewerage.

For effecting such loans or any portion thereof, the corporation of the city may issue debentures redeemable within thirty years at least and sixty-five years at the most from the date of their issue, and bearing interest 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 as it may deem necessary for the aforesaid purposes, for such amounts, redeemable either in this Province or elsewhere, at such period and in such manner as may be agreed upon with the holders of such debentures.

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

Loans by
school com-
missioners
for certain
purposes.

14. The school commissioners for the city of Three Rivers are hereby specially authorized to borrow fifty thousand dollars to be employed in the payment of the construction of the school house in St. Ursule ward and the maintenance and repair of school houses generally in the city.

Issuing of
bonds there-
for, &c.

15. The said loan shall be effected by means of bonds or debentures, the issue whereof shall be in accordance with the provisions of section 13 of this act, for the issue of bonds in connection with municipal loans, with this difference only that the moneys required for the sinking fund, for the payment of interest and the redemption of the capital at maturity, shall be taken out of the funds of the school commissioners and not out of the municipal funds of the city.

Signing of
certain docu-
ments by
stamp, &c.

16. Notwithstanding any law to the contrary , the secretary-treasurer of the city may sign the certificates of notices he is obliged to give in virtue of the charter and the by-laws of the said city, as well as the coupons of the debentures to be

issued by the council of the city, by means of a stamp bearing the *fac-simile* of his signature, which shall be previously approved by the council and exclusively used for such purpose. The affixing of his signature by means of such stamp shall be to all intents and purposes as valid as if the secretary-treasurer had signed with his own hand.

17. The production of any document or deed bearing the signature so stamped, shall be *prima facie* evidence of the authenticity of such document or deed and of the authority of the officer to affix his signature by means of such stamp, and, with the exception of the aforesaid officer, it is forbidden for any person to make use of such stamp under penalty of a fine imposed by the by-laws that may be adopted to that effect. Document with stamped signature *prima facie* evidence. of contents, &c.

18. Paragraph 5 of article 257 of the act 1 Edward VII, chapter 44, as replaced by the act 5 Edward VII, chapter 43, section 12, is again replaced by the following: Id., s. 257, par. 5 replaced.

“ 5. On all peddlers and travelling merchants and also upon dealers in second hand goods and other such articles a tax not exceeding two hundred dollars. Peddlers. &c.”

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

CHAP. 87

An Act to amend the charter of the city of Sherbrooke

[Assented to 25th April, 1908]

WHEREAS the city of Sherbrooke has, by its petition, represented that it is desirable and in the public interest that certain amendments be made to the charter of the city of Sherbrooke, the act 7 Edward VII, chapter 66 ; and whereas it is expedient to grant the prayer of the said petition ; Preamble.

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

1. Section 6 of the act 7 Edward VII, chapter 66, is replaced by the following : 7 Ed. VII, c. 66, s. 6, replaced.

“ **6.** As soon as possible, after the committees are formed, each of such committees shall prepare a statement of the expenses it will have to meet, and the finance committee shall further submit a statement of the probable revenue for the year. Statement of expenses by committees, &c.”