

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.

Appropriations, &c.

The council shall grant such appropriations as it may deem advisable to set apart for such expenses, retaining a margin of at least five per cent on the probable revenue.

Margin not to be spent. Proviso.

Nothing whatever shall be taken from or spent out of such margin except on a favorable report by the finance committee.

Purpose of appropriation not to be altered. Proviso.

No amount appropriated can be altered or employed for other purposes unless such change in the appropriation be approved by a vote of the absolute majority of all the members of the council."

3 Ed. VII, c. 38, ss. 157, 164, 165, replaced for city.

2. Articles 157, 164 and 165 of the Cities and Towns' Act, 1903, as amended by articles 12 and 17 of the act 7 Edward VII, chapter 66, are replaced for the city by the following :

Nomination of aldermen, &c.

"The nomination of the aldermen shall take place at the city hall or at any other place specified by the council, on the 20th January of each year, from ten to eleven o'clock in the forenoon. And if such day be a non-juridical day, the nomination shall take place on the first juridical day following at the same hour. Public notice of such nomination shall be given by the secretary-treasurer at least eight days beforehand. The nomination of the mayor, if he be elected by the people, shall take place every two years in the same manner.

Election day.

The voting for the election of mayor and aldermen shall be on the first juridical day of February."

7 Ed. VII, c. 66, s. 18, repealed.

3. Article 18 of the act 7 Edward VII, chapter 66, is repealed.

Id., s. 14, repealed. 3 Ed. VII, c. 38, s. 158, to apply.

4. Article 14 of the act 7 Edward VII, chapter 66, is repealed and article 158 of the Cities and Towns' Act 1903, shall apply to the city of Sherbrooke.

Id., s. 386, par. 3, replaced for city.

5. Paragraph 3 of article 386 of the Cities and Towns' Act, 1903, is replaced for the city, by the following.

Making, &c., of sidewalks by abutting owners.

"3. To oblige the owners of land situated on any road, street, square or public way, established in the municipality, to make and maintain in front of their property, or on the opposite side of the street or road, sidewalks of wood, stone or other material as provided, either throughout the whole municipality or only through a part thereof ; and to determine the manner of making and maintaining such sidewalks, and even make and maintain them at the expense of the municipality ; and to make and maintain said sidewalks partly at the expense of said owners of land and partly at the expense of the said municipality."

Borrowing, &c.

6. The corporation of the city of Sherbrooke may borrow money giving its own debentures as security, and the giving

of said debentures as such security shall not affect their negotiability either during said pledge or after. The money from such loan cannot be used for other purposes than those for which such debentures were issued.

7. Article 347 of the Cities and Towns' Act, 1903, as amended Id., s. 347, by article 28 of the act 7 Edward VII, chapter 66, is replaced replaced for city. for the city by the following :

" 347. By-laws are published, after the passing thereof, or Publication of by-laws. after their definitive approval in cases in which they have been submitted for the approval of the municipal electors or of the Lieutenant-Governor in Council, by a public notice under the signature of the mayor and clerk, published in the usual manner, in which mention is made of the object of the by-law, of the date on which it was passed, and of the place where communication may be taken thereof.

If the by-law be approved of by the municipal electors, the Notice, &c., notice and publication also mentions that such formality has in certain case. been observed, and the date upon which it was complied with."

8. Article 474 of the Cities and Towns Act, 1903, as amended Id., s. 474 by the act 7 Edward VII, chapter 66, section 58, is amended amended for city for the said city by adding thereto the two following paragraphs :

"The taxes herein above mentioned shall be levied annually. Certain taxes annual.

The taxes authorized under subsections E, F and G herein Certain taxes in form of license. above, may in the discretion of the council be imposed and levied in the form of a license which shall expire each year at a date fixed by the council, no matter at what date they may have been issued, the whole subject to such conditions and restrictions as the council may determine."

9. Article 66 of the act 7, Edward VII, chapter 66, is re- 7 Ed. VII, c 66, s. 66 pealed : repealed.

10. In the event of the city of Sherbrooke purchasing the Purchase by city of property of Sherbrooke Power, Light & Heat Co. property of the Sherbrooke Power, Light and Heat Company, the property, assets and rights of every kind and nature whatsoever of the said company shall, by the passing of a deed of sale and the payment of the price by the city, be transferred to and vested in the said city, without its being necessary to give notice of the transfer to any of the company's debtors, and the passing of such deed and the said payment shall also affect the dissolution of the company except for purposes of liquidation, and the powers and duties of the directors and secretary-treasurer shall be continued for the said purposes.

11. The water department, and light, heat and power Board of control for water

&c., depart- department shall be separate departments, and the council
ments. may by by-law establish for the administration of these two
departments a board of control.

Composition This board shall be composed of the mayor and four mem-
thereof. bers of the council.

Appointment They shall be appointed by the council for one year and
of members, shall be eligible for re-appointment. They shall receive no
&c. compensation or salary.

Duties of **12.** It shall be the duty of the board of control to admin-
board. ister the said departments in the manner hereinafter men-
tioned :

Preparation, *a.* To prepare for their departments an estimate of the pro-
&c., of estim- posed expenditure of the year and certify the same to the coun-
ates. cil for its approval.

Preparation *b.* To prepare specifications for and award all contracts
of specifica- relating to their departments, and for that purpose to call
tions, award- for all tenders for works, material and supplies, implements
ing of con- or machinery or any other goods or property required and
tracts, &c. which may lawfully be purchased for the use of the corpora-
tion, and to report their action to the council at its next meet-
ing, and such contract shall be valid only after such meeting,
if not then and thereafter disapproved in the manner herein-
after mentioned. Upon the opening of any tenders, the
chairman or board shall require the presence of the head of the
department with which the subject matter of such tender is
connected, and of the city solicitor when required.

Heads of Such head of department may take part in any discussion
departments at the board, relating to such tender, but shall not be entitled
before board. to vote. The council may upon an affirmative vote of the
majority of the members of the council present and voting,
reverse or vary the action of the board of control in respect
of such tender and contract and decision of the board.

Reversal of *c.* To inspect and report to the council monthly or oftener
action of upon all municipal works relating to their departments, being
board by carried on or in progress within the city.
council.

Inspection of *d.* To recommend to the council the persons to be appointed
municipal heads of their departments in case of any vacancy, and, after
works, &c. a favorable report by the head of either department, any other
officer, clerk or assistant of the corporation in said departments
required to be appointed by by-law or resolution of the coun-
cil ; and to recommend the salaries of all officers of said de-
partments.

Recommend- *e* To dismiss or suspend any head of their departments and
ation as to heads of their departments in case of any vacancy, and, after
certain ap- a favorable report by the head of either department, any other
pointments, officer, clerk or assistant of the corporation in said departments
&c. required to be appointed by by-law or resolution of the coun-
cil ; and to recommend the salaries of all officers of said de-
partments.

Dismissal, *e* To dismiss or suspend any head of their departments and
&c., of heads forthwith to report such dismissal or suspension to the council.
of depart- But any such head of departments so dismissed by the board
ments, &c. may be re-appointed or re-instated by the council ;
Proviso.

f. In the absence of any by-law of the council prescribing the mode of appointment of all or any other subordinate officer, clerks, assistants, employees, servants and workmen not included in clauses (*d*) and (*e*) of this section and required by said departments for the due and proper discharge and performance of the duties and work thereof, the board may by regulation or resolution, direct by whom and in what manner such subordinate officers, assistants, employees, servants or workmen shall be appointed, engaged or employed.

g. With respect to their departments all powers, duties and obligations given, conferred or placed upon aldermen in the city shall be possessed and exercised by, and shall be binding upon any controller. But if the controllers are elected by the municipal electors they shall not form part of the council unless they are also aldermen.

13. The secretary and the assistant secretary of the corporation shall be the secretary and assistant secretary of the board of control.

14. In case any member of the board dies, resigns or becomes incapable of acting, the council may at a meeting called for that purpose, elect a successor to hold office for the unexpired portion of the term of such member; or in the case of the temporary absence of any member for more than one month, or of his inability to act, his place may be temporarily filled by the council.

15. When the members of the board of control are appointed by the council, the council at any time, after three days notice in writing to each member of the council, may by an affirmative vote of two-thirds of the members of the council present and voting, remove any member of the board of control other than the mayor, and may after such removal proceed to fill the vacancy thus created. But such removal and the filling of the vacancy shall take place only at a meeting specially called for that purpose.

16. The council may, by by-law, change the mode of choosing the members of the board of control by ordering the same to be elected by the municipal electors of the whole city.

17. In the case of the preceding article the election of the said members shall be held every year at the same time as the election of aldermen, but in the manner followed for the election of the mayor with such modifications as are necessary to make it applicable to the controllers.

18. No deposit of money will be required in the hands of

Appointment of subordinate officers, &c.

Controllers to have certain powers of aldermen. &c.

Secretary, &c., of city to be secretary, &c. of board.

Death, &c., of member of board.

Renewal of members of board.

Election of board by municipal electors.

Dates of such elections.

No deposit required.

the returning officer with the nomination papers of the controllers.

Repeal of
by-laws.

19. Any by-law for the establishment of a board of control, or to change the mode of choosing the members thereof can only be repealed by another by-law passed in the month of December of each year.

Coming into
force.

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

CHAP. 88

An Act to amend the charter of the city of Hull

[Assented to 14th April, 1908]

Preamble.

WHEREAS the city of Hull has, by its petition, prayed for an act 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.1, amended.

"Water-
rates" de-
fined.

1. The thirteenth paragraph of section 1 of the act, 56 Victoria, chapter 52, is replaced by the following :

"The words "water rates" shall designate the price or value of water supplied by the city for domestic purposes or for fire protection, as fixed under the provisions of this act or of any by-law passed in virtue hereof."

Id., s. added
after s. 10.

2. The following section is added after section 10 of the said act, as replaced by the act, 4 Edward VII, chapter 56, section 1 :

By-law to
shorten term
of office of
aldermen.

"**10a.** Nevertheless the city council shall on or before the first day of September, 1908, submit a by-law for the approval of the municipal electors, restricting the period of the re-election of the several aldermen to one year only ; such by-law shall have force of law with regard to all aldermen subsequently elected after its approval by the majority of the electors entitled to vote at municipal elections and who shall have voted.

What law to
apply.

For the purpose of ascertaining whether such by-law is approved or not, sections 81 and following of the charter of the city of Hull, 1893, shall apply, *mutatis mutandis*."