

## CHAP. 43

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

[Assented to 20th May, 1905]

## Preamble.

**W**HEREAS the corporation of the city of Three Rivers has, by its petition, applied for certain amendments to the act 1 Edward VII, chapter 44 ;

Whereas the said corporation, by the said petition, prays for the passing of an act to confirm and ratify the by-law passed by the council on the 22nd August, 1904, and approved by the municipal electors on the 31st August, 1904, intituled " Chapter 125. By-law to authorize the council of the city of Three Rivers to vote, give and grant to Messrs. Girard and Godin, manufacturers, of the city of Three Rivers, for the re-establishment of their factory for making coffins and coffin trimmings and accessories in the said city, a piece of land, with a loan of the sum of thirty-five thousand dollars, at a yearly interest of four per cent., and also an exemption from taxation on the said factory for the term of ten years " ;

Whereas the said corporation has, by its petition, represented that doubts may arise as to the validity of the aforesaid by-law, and it is expedient to remove the same ;

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

1 Edward VII, c. 44, arts. 10 and 11, replaced.

**1.** Articles 10 and 11 of the act 1 Edward VII, chapter 44, are replaced by the following :

Qualification 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.

Qualification 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."

**2.** Article 14 of the act 1 Edward VII, chapter 44, is replaced by the following :

Id., 14, replaced.

"**14.** At least twenty-two 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 during the six days following the said public notice, and shall be heard and determined by a committee appointed by the council, and consisting of three of its members chosen from among those whose term of office does not expire at the following election. 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 notice of appeal to the Superior Court from such list as revised and corrected, 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 so revised and corrected 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."

Preparation, &c., of list of electors.

Attestation, and deposit thereof. Notice thereof. Complaint.

When to be considered.

Copies of list to be transmitted to officer presiding over elections.

**3.** Paragraph 3 of article 19 of the act 1 Edward VII, chapter 44, is replaced by the following :

Id., 19, § 3, replaced.

"**3.** He must, in addition to the above qualification, have paid, at least thirty days before the date fixed for the election, all the municipal and school taxes and assessments due and exigible."

Payment of taxes.

**4.** Article 22 of the act 1 Edward VII, chapter 44, is amended, by adding the following paragraph at the end thereof :

Id., 22, amended.

"Every nomination-paper shall be accompanied by the written consent of the person nominated, which shall be written on the said paper in the presence of an elector, and be in the following form :

Consent of candidate required.

I, the said \_\_\_\_\_, nominated a candidate in the present nomination paper, consent to such nomination.

In testimony whereof, I have signed at  
this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
(Signature)

Signed by the said \_\_\_\_\_  
in the presence of \_\_\_\_\_  
(Signature)

Id., 41, re-  
placed.

**5.** Article 41 of the act 1 Edward VII, chapter 44, is replaced by the following :

Proceedings  
at polling.

“ **41.** Each elector, being introduced, one at a time for each compartment, into the room where the poll is held, shall declare his name, surname and occupation, which shall be at once recorded by the poll clerk in a poll-book kept for that purpose, according to form G annexed to this act.

The same.

If such name be found on the list of electors for such poll, the voter shall receive from the deputy-presiding officer a ballot-paper for each vote he has to give. 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.

If elector  
qualified in  
more than  
one ward.

If an elector has a right to vote in several wards, he shall vote in the ward in which he resided, according to the last valuation roll in force, and his name shall be entered in the electoral list for that ward ; if he does not reside in the city, he shall vote in the ward in which he possesses the real estate of the greatest value, and his name shall be entered accordingly.”

Id., 105, re-  
placed.

**6.** Article 105 of the act 1 Edward VII, chapter 44, is replaced by the following :

Contents of  
petition.

Affidavits.

“ **105.** Such petition shall set forth, in a succinct manner, the time, place and circumstances of any act, matter or thing, material to the conclusions of such petition ; and every charge of bribery, supported by one or more special affidavits, shall be clearly set forth, specifying the date and place where the act was committed, with the names of the persons who committed the same, so as to at once place the defendant on his guard ; and all vague and general allegations shall be set aside by the court on a notice filed to that effect ; and the petition shall likewise be accompanied by a notice to the person whose election is contested, indicating the day, hour and place at which it will be presented.

Notice to  
accompany  
same.

**7.** Article 108 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., 108, replaced.

**"108.** No such petition shall be received in court unless the petitioners deposit in the office of the said court, at the same time as their petition, the sum of one hundred and fifty dollars as security for the costs of the opposite party." Deposit for costs required.

**8.** Article 140 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., 140, replaced.

**"140.** The council shall have power to appoint assessors to value the moveable and immoveable property liable to taxation in the city of Three Rivers, who shall take the following oath of office : Appointment and oath of assessors.

'I, A. B., one of the assessors for the city of Three Rivers, do swear that I will honestly perform the duties of my office, to the best of my judgment.'"

**9.** Paragraph 6 of article 165 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., 165, § 6. replaced.

**"6.** For granting aid towards the construction of railways, hotels and railway stations, electric telegraph and telephone lines, to manufacturing establishments, 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 director in such companies ; or by giving or lending money for any of the above purposes, and, in such case a by-law to that effect shall be submitted to the approval of the rate-payers who are proprietors, and be approved by the majority in number and in value of the proprietors who shall have voted." Aid to railways, hotels, &c.

**10.** Article 194 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., 194, replaced.

**"194.** To have force and effect the by-law so submitted to the electors must be approved by the majority of votes in number and the majority in real value of the proprietors who shall have voted." Approval of by-laws.

**11.** The act 1 Edward VII, chapter 44, is amended by adding the following, after article 231 : Article added to id., after 231.

**"231a.** The collection of school taxes and other dues shall be effected in the same manner and with the same pro- Collection of school taxes

&c., how  
effected.

cedure as those employed for the collection of municipal and other dues."

Id., 257, § 5  
replaced.

**12.** Paragraph 5 of article 257 of the act 1 Edward VII, chapter 44, is replaced by the following :

Peddlers, &c.;

"5. On all peddlers and itinerant traders, junk-dealers and second-hand dealers, a tax not exceeding \$100 ;"

Id., 257, § 20  
replaced.

**13.** Paragraph 20 of article 257 of the act 1 Edward VII, chapter 44, is replaced by the following :

Banks, &c ;

"20. On all incorporated banks and their agents, a tax not exceeding \$200 ;

Bankers, &c.;

"20*a*. On all bankers and their agents, a tax not exceeding \$200 ;

Brokers, &c.;

"20*b*. On all brokers, exchange brokers or their agents, money lenders, pawn-brokers and their agents, a tax not exceeding \$100 ;

Auctioneers,  
&c.

"20*c*. On all auctioneers, public criers, bill posters and distributors of circulars, bills and advertisements and every means of securing publicity, a tax not exceeding \$30."

Id., 257, § 22,  
replaced.

**14.** Paragraph 22 of article 257 of the act 1 Edward VII, chapter 44, is replaced by the following :

Railway com-  
panies ;

"22. On all railway companies, having an office in the city and doing business therein, or their agents, a tax not exceeding \$200 ;

Navigation,  
&c., compa-  
nies, &c. ;

"22*a*. On all navigation companies and tramway companies, having an office in the city and doing business therein, or on their agents, a tax not exceeding \$100 ;

Telephone  
companies  
&c. ;

"22*b*. On all telephone companies, having an office in the city and doing business therein, or on their agents, a tax not exceeding \$200 ;

Telegraph,  
&c., compa-  
nies.

"22*c*. On all telegraph, light and heat companies, and companies for the distribution of motive power, whether electric or otherwise, in the city or having an office and doing business therein or on their agents, a tax not exceeding \$100."

Power to  
borrow cer-  
tain sums for  
certain pur-  
poses.

**15.** The corporation of the city of Three Rivers is specially authorized by this act to borrow the amounts hereinafter, set forth :

1. Thirty thousand dollars, to be set apart exclusively for the works necessary for drainage and sewerage ;

2. Fifty thousand dollars, to be exclusively employed in

the expropriation of land for public squares, railway stations and railway hotels.

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

**16.** The by-law passed by the council on the 22nd August, 1904, and approved by the electors on the 31st August, 1904, intituled : " Chapter 125. By-law to authorize the council of the city of Three Rivers to vote, give and grant to Messrs. Girard and Godin, manufacturers, of the city of Three Rivers, for the re-establishment of their factory for making coffins, coffin trimmings and accessories in the said city, a piece of land, with a loan of the sum of thirty-five thousand dollars at a yearly interest of four per cent. and also an exemption from taxation on the said factory for the term of ten years " and reproduced at length in the schedule hereto, is hereby ratified, confirmed and declared valid. Certain by-law : chapter 125, approved.

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

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## SCHEDULE

### CHAPTER 125

*By-law to authorize the council of the city of Three Rivers to vote, give and grant to Messrs. Girard and Godin, manufacturers, of the city of Three Rivers, for the re-establishment of their factory for making coffins and coffin trimmings and accessories in the said city, a piece of land, with a loan of the sum of thirty-five thousand dollars, at a yearly interest of four per cent., and also exemption from taxation on the said factory for the term of ten years.*

Whereas the said Girard and Godin would be disposed to rebuild and re-establish in the said city, their factory which was destroyed by fire, and to continue therein, on a larger scale even, the manufacture of coffins, coffin trimmings and accessories, in consideration of the granting of a certain piece of land as a site thereof, and the loan of a sum sufficient to pay, if not wholly, at least almost entirely, the cost of construction, at an annual rate of interest not exceeding four per cent., and exemption from municipal taxes for a certain number of years ;

Whereas it would be desirable, in the interest of the inhabitants of the city, to promote the re-establishment of the said factory, as it will contribute to maintain and even to increase the population and increase the value of the real estate in the said city, by giving employment to a great many persons, and thereby increase the revenue of the corporation ;

And whereas, to assure the re-establishment of the said factory in the said city and the building and immediate putting into operation thereof, it is advantageous to give and grant to the said Girard and Godin a piece of land and to lend them the sum of thirty-five thousand dollars at the rate of interest at four per cent. per annum, and to grant them exemption from taxes on the said factory, be it ordered, and we, the said council, do order and enact as follows :

SECTION 1.—The council of the city of Three Rivers, for and in the name of the corporation of the city of Three Rivers, shall give, convey and grant to the said Girard and Godin that piece of land comprised between the lands of the said Girard and Godin and Médéric Spénard and Eméri Bergeron, situate on the south-west of Bureau street and Bellefeuille street, a line parallel to Gervais street, to be drawn at a distance of two hundred and forty feet south-west thereof in the undivided land of the common and the line of the Canadian Pacific Railway, such piece of land shall not exceed seven and a half arpents in superficies ; shall lend them the sum of thirty-five thousand dollars at the rate of four per cent. interest per annum, and grant them exemption from taxes and assessments (with the exception of water rates), payable to the said corporation for a term of ten consecutive years, commencing to run from the first of January, 1905, on the immoveables, buildings, machinery and plant specially and solely used and employed for the purposes of the said factory, and on the office of the establishment ; the whole to promote the re-construction and re-establishment and putting into operation of the said factory, and as aid to that effect, under the following conditions, viz :

SECTION 2.—The said Girard and Godin shall build on the land to be given and granted them by the said corporation in the common of Three Rivers, in the said city of Three Rivers, six brick buildings, separate one from the other, one for the manufacture of coffins and wood work, another for the manufacture of coffin trimmings, another for the engine, boiler and drier, another for painting and varnishing, another as a store-house for oils and varnish, and lastly another as a general warehouse ; and shall provide the said buildings with sufficient and necessary heating apparatus, a suction apparatus and sprinkler in case of fire, an engine, boiler

and drier. And the whole shall be of the value of at least thirty-five thousand dollars according to the estimate and plans of the architect, copies whereof shall be deposited in the office of the corporation of this city.

SECTION 3.—The said sum of thirty-five thousand dollars shall be furnished and paid as the work of construction of the said buildings proceeds, in amounts of five thousand dollars each, which shall be paid, on their account, to the contractor upon estimates certified by the architect and city surveyor, establishing the value of the work, done and not yet paid for, at five thousand dollars at least.

SECTION 4.—The said sum of thirty-five thousand dollars shall bear interest at the rate of four per cent. per annum and be repayable by them in thirty-five years in sums of one thousand dollars per annum, as regards the capital, to wit: in thirty-five yearly and equal payments of one thousand dollars each, with interest payable yearly on the said terms of payment, and shall, in default of payment at maturity, bear interest at the same rate for the future, but the debtors may pay the whole or any part by anticipation, if they deem advisable, and on condition that in default of their paying any instalment within three months following its maturity, the corporation shall have the right to take possession of the lands, factory or buildings, machinery and plant contained therein, affected and hypothecated for the payment of its claim, as the whole may then be, as its property, and that, in such case, it shall be the absolute owner thereof, without being bound or being liable to be compelled to repay them anything out of what it may have received for and on account of the amount loaned and the interest thereon

SECTION 5.—The said Girard and Godin, as security for the payment of the said sum of thirty-five thousand dollars and of the interest thereon, shall give, in favor of the corporation of the city of Three Rivers, a first mortgage on the lands and buildings of the said factory and machinery and plant therein placed or thereto attached, and shall insure and keep insured the said buildings, machinery and plant in favor of the said corporation in insurance companies approved of by the council to the extent of the amount loaned, which insurance may be reduced by one thousand dollars whenever an instalment shall have been paid, and they shall give the policies and premium receipts therefor, regularly, to the said corporation, so as to show that they are constantly in existence; and, in the event of their failing to keep up such insurance and furnish the policies and premium receipts to the cor-



poration at the time of the expiration of the existing policies, the said corporation may have the property insured at the cost of the said Girard and Godin.

SECTION 6.—In the event of the said buildings, machinery or plant or any portion thereof being destroyed or damaged by fire, if the said Girard and Godin rebuild, replace or repair, and at once restore them in the same condition as before the fire, the corporation shall retain, out of the amount paid to it by the insurance companies for losses suffered, only the amount of the instalments then due under the mortgage, and shall hand over the surplus to the said Girard and Godin, as soon as the said buildings, machinery and plant shall have been replaced in as good order as before the fire, provided always that it be done within a delay not exceeding twelve months from the date of the fire, but on condition that they shall continue to carry out their obligations as before.

SECTION 7.—The present by-law shall come into force immediately after its approval by the municipal electors.—Adopted.

## CHAP. 44

An Act to amend the charter of the town of Lachine

[Assented to 20th May, 1905]

Preamble.

**W**HEREAS the corporation of the town of Lachine has, by petition, represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter, the act 36 Victoria, chapter 53, and the various acts amending the same, and it is expedient to grant such petition ;

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

38 V. c. 78,  
s. 2, replaced  
but only after  
elections of  
1906.  
Division of  
town into  
wards.

**1.** Section 2 of the act 38 Victoria, chapter 78, is replaced by the following section, which shall take effect only at the general elections of the year 1906, inclusively :

**" 2.** The town of Lachine shall be divided into four wards, which shall be respectively designated as " West Ward," " Centre Ward," " East Ward," " North Ward " and shall be bounded as follows, to wit :

West Ward.

**1.** West Ward shall be bounded on the north by North