

Edward VII, chapter 63, section 29, for various purposes, an additional sum of \$38,000.00 for the erection of a municipal building.

The bonds, the issue whereof is authorized by by-law No. 98 of the council of the city of Ste. Cunégonde of Montreal, passed on the fourth day of December, 1904, and ratified by the act 2 Edward VII, chapter 50, section 29, shall bear interest at a rate not exceeding four and one half per cent. per annum, and may be issued for such price, at par or above or below par, as the council may deem advisable.

Interest upon certain bonds.

Price at which they may be issued.

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

Coming into force.

CHAP. 52

An Act to amend the charter of the city of St. Henri

[Assented to 2nd June, 1904]

WHEREAS the city of St. Henri has, by petition, represented that it is in the interest of the proper administration of the city that certain amendments be made to its charter, the act 60 Victoria, chapter 62, and the various acts amending the same, and whereas it is expedient to grant the prayer of its 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. Article 239 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 239, replaced.

“**239.** The writer or writers whom the valuers may need in the performance of their duties shall be chosen by the council.”

Appointment of writers to valuers.

2. Article 295 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 295, replaced.

“**295.** To establish, license and regulate markets and market-houses ; to change, enlarge or diminish the site of any market or market-place, or to establish any new market or market-place, or to abolish any market or market-place now in existence or hereafter to be in existence in the city, and appropriate the site thereof, or any part of such site, for any other purpose whatever, in the discretion of the council ;

Establish markets, &c., additional markets and appropriate site for other purposes, &c.

Fix rates to be paid by persons selling on markets, &c.

and to fix the rates to be levied on persons selling in the said markets any provisions or commodities whatsoever, or on the said provisions or commodities, or on the vehicles containing the same."

60 V., c. 62, art. 296, replaced.

3. Article 296 of the act 60 Victoria, chapter 62, is replaced by the following :

Where hay to be weighed, and firewood, &c., measured.

"**296.** To prescribe at what places and in what manner hay and straw shall be weighed and how fire-wood, coal and lime shall be measured and sold."

60 V., c. 62, art. 297, replaced.

4. Article 297 of the act 60 Victoria, chapter 62, is replaced by the following :

Use of weights, tested, &c.

"**297.** To compel vendors to use weights and measures duly tested and sealed, and to authorize the sale and confiscation of all goods or merchandise offered for sale in the city and which may be deficient in measure, weight or quality."

Confiscation of goods in certain cases.

60 V., c. 62, art. 298, replaced.

5. Article 298 of the act 60 Victoria, chapter 62, is replaced by the following :

Butchers' stalls, &c.

"**298.** To license and regulate the establishment of butchers' stalls and shops and stands for the sale, by wholesale or retail, in the markets or market-houses or elsewhere in the city, of game, poultry, meat, fish, fruit and perishable provisions."

60 V., c. 62, art. 299, replaced.

6. Article 299 of the act 60 Victoria, chapter 62, is replaced by the following :

Inspection of meats, &c.

"**299.** To provide for the inspection of meats, poultry, fish, game, butter, cheese, lard, eggs, vegetables, flour, meal, milk, dairy products, fruit and other food products ; to provide for the seizure, confiscation and summary destruction of any such products as are unsound, spoiled or unwholesome ; to prohibit the bringing into the city and the having or keeping such unsound, spoiled or unwholesome products, and to define the duties, powers and attributions of the inspectors appointed for that purpose, and to prevent any animal or meat brought into the city from being sold within its limits for consumption, before it has been inspected and stamped in the manner prescribed by the council, at the cost of the city."

60 V., c. 62, art. 300 replaced.

7. Article 300 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **300.** To regulate the manufacture, sale and conveyance of bread; to provide for the inspection of bread and bakeries; to prescribe the weight and quality of bread; to provide for the seizure and forfeiture of bread made, conveyed, sold or offered or exposed for sale contrary to the by-laws or which is not of the weight or quality required by the by-laws, and to prescribe the manner in which bread seized and confiscated shall be disposed of.”

Manufacture,
&c., of bread,
&c.

8. Article 301 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 301, re-
placed.

“ **301.** To fix a sum, not exceeding twenty-five dollars, payable for the granting of each certificate to obtain a license authorizing the sale of spirituous, vinous, alcoholic or intoxicating liquors in retail liquor stores.”

Price of cer-
tificates to ob-
tain licenses
for sale of
liquors, &c.

9. Article 303 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 303, re-
placed.

“ **303.** To prevent all transfers of hotel, restaurant or retail liquor store licenses; and to impose upon the applicants for such transfers a tax, not to exceed one hundred dollars, for the transfer of an hotel, restaurant or tavern license, and not to exceed twenty-five dollars for the transfer of a license for retail liquor stores.”

Transfer of
hotel, &c.,
licenses and
tax there-
upon.

10. Article 306 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 306, re-
placed.

“ **306. 1.** To require, throughout the city or in such district or districts as the council may designate, the owner or occupant of any premises, or the person having deposited the same, to collect, remove and dispose of ashes, swill, offal, refuse, garbage, manure, dead animals, night soil, and other unhealthy or offensive matter; to provide for the collection, removal and disposal of the same throughout the city or in such districts as the council may designate, and to authorize and direct such collection, removal and disposal, either at the expense of the city or of such owner or occupant, or of the person having deposited the same.

Removal of
ashes, &c.

2. To regulate or prohibit the use of all bridges, viaducts, tunnels, drains, sewers, privies and cess-pools within the city limits, and in such portions thereof as the council may designate; to cause the removal of privies and cess-pools; to require the connections of sewers in such part of the city, and effect such connections and levy the cost thereof on the properties so connected.

Regulation of
drains,
sewers, &c.,
and connec-
tions there-
with.

3. To define what shall constitute a nuisance and to abate the same, and to impose fines upon persons who may create, or continue nuisances or suffer the same to exist.

Nuisances,
&c.

Stock-yards,
&c.

4. To regulate or to prohibit the establishment, construction and management of stock-yards, packing-houses, rendering establishments, tallow-chandleries, storing places for hides, bone or glue-houses, gas-works, soap-factories, dye-houses, tanneries, sausage manufactories and other noxious establishments within the limits of the city or within a radius of a mile beyond its limits.

Breweries,
&c.

5. To regulate the establishment, construction and use of breweries, stables, livery-stables, blacksmith-shops and foundries within the limits of the city.

Unwholesome
establish-
ments, &c.

6. To prohibit offensive or unwholesome undertakings or establishments within the city or within a radius of one mile outside thereof; to prohibit the erection or occupation of any offensive buildings in any place or site where they will damage the neighboring property; and to determine the localities where certain manufactures or occupations may be carried on.

Soap and tal-
low-chand-
leries, &c.

7. To compel the owner of any soap and tallow-chandlery, sausage manufactory, pig-sty, privy pits or other unwholesome or noxious establishment or place, to cleanse, abate or remove the same."

60 V., c. 62,
art. 307, re-
placed.

11. Article 307 of the act 60 Victoria, chapter 62, is replaced by the following :

Hospitals, &c.

307. To establish and regulate hospitals and contagious diseases' hospitals, and to make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease; to prevent the introduction or spread of contagious, infectious and other diseases in the city, and to make quarantine laws, and to enforce the same within the city; to regulate, control or prevent the landing of persons, baggage, merchandise or other property from boats, vessels, cars or other conveyances infected with the germs of contagious diseases, and to make such disposal of such persons or property as to protect the health of the citizens, and to prevent infected boats, vessels, cars or other conveyances from coming within or near the limits of the city, and to order, at the discretion of the medical health officer, when effective isolation is impossible in the person's residence, the compulsory removal to the civic hospital or pest-house of any person affected with small-pox, or any other contagious or infectious disease, with the consent of the physician attending such person.

Stables, &c.

2. To require that places where animals are kept be maintained in a sanitary condition.

Vaccination.

3. To establish a complete and efficient system of vaccination; to establish offices for that purpose; to appoint officers, to authorize them to make domiciliary visits, to

destroy linen, clothig and any other articles infected with small-pox or any other contagious disease ; to isolate patients labouring under any such disease, whensoever the said officers shall deem it necessary for the welfare of such patients, or of the public at large ; to cause any person who shall have died of any such disease to be buried within a short delay, and generally to cause such measures to be taken as the council may deem necessary to arrest the progress of small-pox or other contagious or endemic disease, notwithstanding any law to the contrary.

4. To establish a board of health, with such powers, privileges and authority, as the council may deem fit, which board may be composed of aldermen or of qualified citizens outside of the council ; to take means to promote the public health ; to provide precautionary measures against the introduction of diseases ; to prevent contagion or infection therefrom, and to diminish the danger thereof ; and to define and regulate the duties, powers and attributions of the health officers. Board of health, &c.

5. To compel persons owning or using steam-engines, steam boilers, factories, or other workshops or establishments, to provide the same with the necessary apparatus to consume the smoke and gas escaping therefrom, so as to effectually remove and abate any nuisance arising from the working of such establishments, and to impose a fine of one hundred dollars for the violation of any by-law made under the provisions of this paragraph, to enact that, in default of immediate payment of the said fine and costs by the offender, he shall be condemned to an imprisonment not exceeding two months, unless the fine and costs shall have been paid before the expiration of such period, and a further fine of fifty dollars per day, for each and every day the offender shall continue in the violation of such by-law ; provided that none of such powers shall apply to locomotives. Steam-engines, &c.

6. To provide for the inspection of milk, and to prohibit the use, sale, and exposure for sale of milk which is unhealthy, infected with germs of disease or otherwise dangerous to health, and to authorize the seizure and confiscation thereof ; to inspect and regulate dairies, stables and cowsheds situate within the limits of the city, whence the milk sold in the city comes ; to inspect and regulate the premises in which milk is sold ; to compel milkmen selling milk in the city to employ the methods of transport and treatment of milk most suitable for protecting it against contamination, and to ensure the purity thereof ; to grant licenses to milkmen selling milk in the city ; to refuse such licenses to milkmen who do not comply with the law or the by-laws of the city respecting milk, as well as those of the Board of Health Inspection of milk, &c.

of the Province, and to suspend or annul such licenses for infringements of the law and by-laws, in addition to any other penalty."

60 V., c. 62,
art. 308, re-
placed
Fire-escapes,
&c.

12. Article 308 of the act 60 Victoria, chapter 62, is replaced by the following :

"**308.** To require the owners or lessees of houses and buildings to place thereon fire-escapes, ladders, and appliances for protection against or for the extinction of fires."

60 V., c. 62,
art. 314, re-
placed.
Storage of
gunpowder,
&c.

13. Article 314 of the act 60 Victoria, chapter 62, is replaced by the following :

"**314. 1.** To regulate and prohibit the storage and use of gunpowder, dry pitch, resin, coal oil, benzine, naphtha, gasoline, turpentine, gun cotton, nitroglycerin and any product thereof, and other combustible or explosive materials within the city limits or within one mile outside thereof.

Dangerous
chimneys.

2. To prevent the construction and to cause the removal of dangerous chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers and apparatus ; to regulate the carrying on of manufactures liable to cause fires ; to prevent the depositing of ashes or the accumulation of chips, or other combustible materials in unsafe places, and to make by-laws for the prevention of fire."

60 V., c. 62,
art. 316, re-
placed.
Demolition of
buildings, &c.,
to arrest pro-
gress of fires,
&c.

14. Article 316 of the act 60 Victoria, chapter 62, is replaced by the following :

"**316.** To authorize the demolition of buildings, houses and fences, when deemed necessary to arrest the progress of a fire ; to order all persons whomsoever to keep at a distance from places where fires break out ; to empower the mayor, the chief of the fire-brigade or other officers to exercise the powers mentioned in this article ; to authorize the mayor, under such provisions as the council may enact, to send fire-engines, men and apparatus to any municipality outside of the city that may be endangered by fire ; provided however that such municipality shall be held responsible for all expenditure or damage which may be incurred in connection therewith ; to provide for the building of fire-stations and the purchase or expropriation of sites for such stations, subject to the provisions of this charter ; to provide for the punishment, before the recorder's court, by fine or imprisonment, of every person who refuses to obey the lawful orders of the chief or deputy-chief of the fire-brigade during a fire in the city."

Fire-stations,
&c.

60 V., c. 62,
art. 317, re-
placed.

15. Article 317 of the act 60 Victoria, chapter 62, is replaced by the following :

317. To organize, maintain and regulate a fire department and fire-brigade, and to equip and maintain the same with all necessary appliances by purchase or lease ; to appoint all officers and men necessary for the extinction and suppression of fires, the protection of property from fire, and the prevention of accidents by fire ; to provide for the punishment of any person or persons who may interfere with any member of the fire brigade in the performance of his duty, or refuse to obey the lawful orders of the chief or deputy-chief of the fire-brigade, or who may tamper with or obstruct any of the signal boxes, wires, or apparatus of the fire alarm department.”

Organization of fire department and fire-brigade, &c.

16. Article 318 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 318, replaced.

318. To provide for the organization, equipment, maintenance and discipline of a police force, with power to regulate the residence, classification, rank, service, inspection and distribution of the members of such force, and to prescribe their duties ; to authorize the mayor, in cases of emergency, to appoint as many temporary police officers, at a compensation to be fixed by the council, as he may deem necessary, provided that such appointments shall not continue in force for more than one week without the consent of the council ; to provide for the punishment, by dismissal or by fine or imprisonment, or by both at the same time, of any member of the police force who shall, directly or indirectly accept any money or gratuity, or any kind of intoxicating liquor.”

Organization, &c., of police force.

17. Article 321 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 321, replaced.

321. To regulate and prohibit the use of fire-crackers, torpedoes, roman candles, sky-rockets and other fireworks.”

Fire-crackers, &c.

18. Article of 322 the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 322, replaced.

322. To cause to be demolished and removed all walls, chimneys or buildings dilapidated, in ruins or likely to fall ; to determine when, by what means and at whose expense such demolition or removal shall be effected and, when such demolition or removal is effected by the city, to order that the cost thereof shall be an hypothecary charge upon the immoveable.”

Removal of dilapidated, &c., walls, &c.

19. Article 323 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 323, replaced.

323. To regulate the height, construction and materials of all buildings, chimneys, stacks and other structures ; to

Regulation of height of buildings, &c.

prevent the construction of such as are not of the required stability, and provide for their summary abatement or destruction ; to prescribe the depth of cellars and basements, the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partition and outside walls, the size and materials of floor beams, girders, piers, columns, roofs, chimneys, flues and heating apparatus ; to regulate the architecture, dimensions and symmetry of buildings in certain streets ; to compel the proprietors to submit the plans thereof to, and previously obtain a certificate in writing from the building inspector ; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension at any time of the erection of any building as does not conform to such by-laws, and to cause the demolition of any such building, if necessary."

60 V., c. 62,
art. 324, re-
placed.

Regulation of
buildings on
certain
streets, &c.

20. Article 324 of the act 60 Victoria, chapter 62, is replaced by the following :

" 324. 1. To regulate the kind of buildings that may be erected on certain streets, parts or sections of certain streets ; to determine at what distance from the line of the street the houses shall be built, and to prohibit the construction, occupation and maintenance of factories, workshops, taverns, saloons, billiard-rooms, pigeon-hole rooms, livery-stables, butchers' stalls or other shops or similar places of business in the said streets, parts or sections of certain streets, saving the indemnity, if any, payable to the proprietors, tenants or occupants of the buildings now built or being built, or who have building permits ; which indemnity shall be determined by three arbitrators, one to be appointed by the city, one by the proprietor, tenant or occupant interested, and the third by the two former, and, in default of agreement, by a judge of the Superior Court.

Wooden-
buildings
with certain
prescribed
fire-limits.

2. To prescribe fire-limits within which wooden buildings or structures shall not be erected, placed or repaired ; to direct that any building within such fire-limits, when damaged, by fire, decay or otherwise, to the extent of fifty per cent. of its value, shall be torn down and removed, to prescribe the manner of ascertaining such percentage, and to provide for requiring the owners of buildings or other structures, which have been destroyed or partially destroyed, or have become dangerous by fire or otherwise, to take down the same or any part thereof ; and, in case of refusal or neglect of such owner to so take the same down when ordered by the council, to cause the same to be done at the expense of the owner, and to levy the cost thereof by privilege upon the land upon which such building or structure stands

3. To regulate the location of lumber-yards and places for piling, timber, firewood and other combustible materials, and the manner of piling the same, and to require any person maintaining any shingle,-or lath-or lumber-yard in the city to remove the said shingles, laths or lumber when they become dangerous to buildings, structures or other neighboring property.”

21. Article 325 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **325.** To prevent accidents in winter from the accumulation of snow or ice on the sidewalks and the roofs of houses and other buildings, and, for that purpose, to determine the manner in which such sidewalks and roofs shall be kept. Every person obliged by law to keep sidewalks and roofs is responsible towards the city for the damages resulting from his neglect to fulfil his obligations in that respect, and may be called in warranty by the city in all cases instituted against it for damages.”

22. The following article is added after article 333 of the act 60 Victoria, chapter 62 :

“ **333a.** To suppress houses of prostitution and disorderly houses, as well as houses of ill-fame and assignation, within the limits of the city.”

23. Article 335 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **335.** To license, regulate or prohibit the exhibitions of showmen and shows of all kinds, and exhibitions of caravans, menageries, circuses, concert-halls, dance-halls, theatrical performances, skating-rinks and all places of amusement and museums.

To prevent races and all other horse or velocipede exercises upon any race-course or place whatever on Sundays and holidays of obligation.”

24. Article 336 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **336.** To prohibit, prevent and suppress noisy gatherings, affrays, disturbances, disorderly assemblies, and all brutal or depraving exhibitions, and punish all persons taking part therein or being present thereat.”

25. Article 337 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **337.** To license and regulate the posting of placards,

Lumber-yards, &c.

60 V., c. 62, art. 325, replaced.

Removal of accumulation of snow and ice, &c.

Responsibility for neglect, &c.

Art. added after 60 V., c. 62, art 333.

Houses of prostitution, &c.

60 V., c. 62, art. 335, replaced.

Exhibitions of showmen, &c.

Races, &c., on Sundays, &c.

60 V., c. 62, art. 336, replaced.

Disorderly assemblies, &c.

60 V., c. 62, art. 337, replaced.

Placards, &c.

and prohibit the posting or exhibition of placards in any street or public square.”

Art. added
after 60 V.,
c. 62, art. 339.

26. The following article is added after article 339 of the act 60 Victoria, chapter 62 :

Billiard-
tables, &c.

“ **339a.** 1. To license, regulate or prohibit billiard-tables, pigeon-hole tables, bowling alleys and bagatelle-boards as well as shooting galleries.

Sale of in-
toxicants on
Sundays, &c.

2. To prohibit the sale of intoxicating liquors on Sunday by all storekeepers, hotel and tavern-keepers or other persons, and order the closing of saloons and taverns from midnight on Saturday until Monday morning.

Musical
saloons, &c.

3. To license, regulate or prohibit musical saloons or establishments where intoxicating liquors are sold and wherein instrumental and vocal music are used as a means of attracting customers ; to permit or prohibit in any or all streets or public places the use by itinerant players of hand organs or other musical instruments for pay or in expectation of pay ; to prohibit instrumental or vocal music in the bars of hotels and saloons as a means of attracting customers.”

60 V., c. 62,
art. 341, re-
placed.

27. Article 341 of the act 60 Victoria, chapter 62, is replaced by the following :

Depositing of
ashes, &c., in
streets, &c.

“ **341.** To prevent the throwing or depositing of ashes, paper, refuse, offal, dirt, garbage or any offensive matter or obstruction in or upon any street, alley, yard, public ground or square or municipal stream or water-course.”

60 V., c. 62,
art. 351, re-
placed.

28. Article 351 of the act 60 Victoria, chapter 62, is replaced by the following :

Width of
streets, &c.

“ **351.** To fix the width of the streets and establish or change the level of the pavement or of the sidewalk in any street ; to aid the extension of streets or public roads in adjoining municipalities ; to regulate everything connected with streets, parks, squares, bridges or sewers in the city ; to protect them against trespass or damage, and to close any street and forbid the use thereof.”

Art. added
after 60 V.,
c. 62, art. 352.

29. The following article is added after article 352 of the act 60 Victoria, chapter 62 :

Ditches, &c.,
on railway
lines.

“ **352a.** 1. To require railway companies to keep open and in repair existing ditches, drains, sewers and culverts along and under their railroad tracks, so that filthy and stagnant water cannot remain on their grounds, and so that the natural drainage of adjacent property and streets shall not be impeded in the limits of the city.

2. To prevent the pollution of the waters of any municipal creek, river, pond, lake or water-course within or adjacent to the city ; to prevent the dumping of refuse or other matter therein ; to provide for the cleansing and purification of municipal waters, water-courses and canals, and the drainage or up filling of ponds or pools on private property, whenever necessary for public health ; and to compel the owner or occupant of any buildings or grounds to remove from the premises owned or occupied by him all such offensive substances as the council or department of health may direct, and, upon his default, to authorize the removal or destruction thereof by some officer of the municipality, at the expense of such owner or occupant.

Pollution of waters, &c.

3. To provide that, in case the owner of such lot cannot be found and no one represents the proprietor, or should such proprietor or occupant, or other person in charge thereof, refuse or neglect to fence in, drain, cleanse, fill up or level the same, when so directed by the proper officer of the council, or be unable by want of means, to fence in, cleanse, drain, fill up or level such lot, it shall be competent for the council to have the same done, and to provide that the amount expended thereon shall be a special charge upon such lot, and shall have the same privileges attached to it, and be dealt with and recoverable in the same manner as a special tax thereon."

Drainage, &c., of lots by corporation at expense of proprietor.

30. The following article is added after article 353 of the act 60 Victoria, chapter 62 :

Art. added after 60 V., c. 62, art. 353.

" **353a.** To regulate the making and maintaining of openings and excavations in streets, alleys and public grounds and places for the laying of gas and water mains and pipes, electric wires, subways and conduits, and for other purposes, and to regulate the building and maintaining of sewers, tunnels and drains, and the construction and use of all structures and conduits of every kind underneath the streets, alleys, sidewalks, public grounds and places of the city ; to regulate, and, if it deem necessary, to prohibit the construction and maintaining of coal-holes, man-holes, hatchways and other openings in sidewalks, streets and alleys, and to order coverings and guards therefor ; to compel all persons or companies who have, or may hereafter have, the right to make any excavations in the streets of the city to deposit in the hands of the treasurer an amount sufficient to guarantee that such streets shall be put back in their former state, or to permit the city to make such excavations at the expense of such persons or companies, or to prevent such excavations, and fill up the same whenever they are made contrary to the by-laws ; to prevent any person or company from tearing up any pavement, sidewalk or crosswalk, drain or sewer, or from

Excavations in streets, &c.

making any hole, ditch or drain in any street, pavement or sidewalk, without previously sending a written notice to the city inspector with a plan showing the exact location and dimensions of the proposed opening, and obtaining the permission of the said city inspector, if not previously authorized, and, in any case, without obtaining his approval of the place where, and the manner in which, the proposed opening is to be made; to prohibit the deposit, upon any permanently paved street, of any building materials, tar, lime, stone, brick or other articles whatever of a nature to deteriorate the paving, or to regulate the permission to be granted to make use of such streets for the aforesaid purposes, and to exact a sufficient deposit to replace the paving in good order."

60 V., c. 62,
art. 354, re-
placed.

31. Article 354 of the act 60 Victoria, chapter 62, is replaced by the following :

Encroach-
ments in
streets, &c.

"**354.** 1. To regulate the use of and prevent and remove encroachments into, upon or over streets, alleys, avenues, public grounds and public places, municipal streams and waters, and to prevent injury thereto, and prohibit the improper use thereof.

Pavements,
&c.

2. To regulate the use of pavements, sidewalks, crossings, curbs and gutters, and regulate, license or prohibit awnings, porticoes in the streets, on the sidewalks, or in alleys or public places.

Signs, sign-
posts, &c.

3. To regulate or prevent the use of streets, alleys, sidewalks and public grounds for signs, sign-posts, awnings, awning-posts, telegraph, telephone and electric poles, horse-troughs, racks and other obstructions, and to regulate the posting and distributing of hand-bills and advertisements; to remove and abate any nuisance and obstruction upon the sidewalks, streets, alleys and public grounds, and prevent the encumbering of the same with vehicles, boxes, lumber or any other things; to provide for and regulate the erection of hitching posts and rings for fastening horses, and to prohibit the same in any portion of the city; and to prohibit the piling of snow or other incumbrances upon any street or alley or public place by persons owning or operating any street railway along or across the same."

60 V., c. 62,
art 357, re-
placed.

32. Article 357 of the act 60 Victoria, chapter 62, is replaced by the following :

Telegraph
poles, &c., in
streets, &c.

"**357.** To regulate or prohibit the placing of poles and the suspending of wires along or across all streets, alleys and public places; to require any and all wires within prescribed limits, or throughout the city, to be placed as the council may designate beneath the surface of the streets or else-

where ; to require any poles already erected or wires already suspended to be removed, and the wires likewise placed in conduits beneath the surface of the street or elsewhere ; to compel any or all wires, pipes and other constructions and conduits to be placed in a common area beneath the surface or elsewhere, upon such terms as it may designate ; and to regulate or prohibit the locating, constructing and maintaining of bridges and street railway tracks in, under, or over any street, alley or public place."

33. Article 358 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 358, re-
placed.

" **358.** To require the owner or occupant of any immoveable property to keep the sidewalks along or in front of the same free from obstructions ; to provide for the removal of the same at the expense of such owner or occupant ; and to levy an assessment on such immoveable property to cover the cost of keeping the said sidewalks in good order during the winter in all or in certain districts of the city."

Obstructions
on sidewalks,
&c.

34. Article 359 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 359, re-
placed.

" **359.** To levy, by special assessment, upon all owners or occupants resident in any street, public place or alley, funds sufficient to sweep, water and keep clean any such street, public place or alley, or to remove the snow therefrom."

Assessment
for sweeping
streets, &c.

35. Article 360 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62,
art. 360, re-
placed.

" **360.** To regulate the subdivision into streets of any land situated within the limits of the city ; to prohibit any such subdivision, whenever the same does not coincide with the general plan of the city ; and to compel the owners of private streets and lanes to indicate that the same do not belong to the city."

Subdivisions
of lands into
streets.

36. The following article is added after article 361 of the act 60 Victoria, chapter 62 :

Art. added
after 60 V..
c 62, art.361.

" **361a.** 1. To permit, under such conditions and restrictions as the council may impose, the track of any street railway or other provincial railway to be laid in the city ; to regulate the number of passengers to be carried in each car or vehicle used by such street railway ; to regulate the condition in which the cars shall be kept ; to regulate the use of locomotive engines, and of steam, or any other motive power on any railway in the city ; to prescribe and regulate the speed of the cars, and the intervals to be observed between the cars

Railway
tracks in
streets.

of any street railway company while running in the streets of the city ; and to impose penalties, not to exceed four hundred dollars, upon the company managing any such railway, or any of its servants, for each and every violation of any such by-law ; without prejudice to acquired rights and existing contracts.

- Exhibition of banners, &c. 2. To regulate or prohibit the exhibition, carrying, or distribution of banners, placards, advertisements, and handbills or other articles in, near or upon streets, alleys, sidewalks and public places.
- Playing of games in streets, &c. 3. To regulate or prevent the playing of games or any other amusements on the streets, alleys, sidewalks or public squares, and to regulate the use of bicycles and other vehicles within the city limits.
- Begging in streets, &c. 4. To regulate or prohibit begging in the streets or public places.
- Numbering of houses, &c. 5. To regulate the numbering of houses, buildings and lots, and to compel the owners of houses and other buildings to have the numbers of such houses and buildings shown conspicuously thereon.
- Ringing of bells, &c. 6. To regulate or prohibit the ringing of bells and whistling of locomotives and steamboats, and the discharge of steam, cinders, sparks and smoke therefrom.
- Traffic in streets, &c. 7. To regulate or prohibit traffic and selling on the streets, sidewalks and public squares.
- Width of tires on wheels of vehicles. 8. To regulate and prescribe the width of tires on the wheels of vehicles used in the city, and the maximum weight of a load to be drawn over any street ; and to direct upon what streets heavily laden vehicles may be drawn, and from what streets, alleys and public places the same shall be excluded, and to license vehicles of every description.
- Speed of horses, &c. 9. To regulate the speed of horses and other animals, bicycles, cars and locomotives, and other vehicles, within the limits of the city, and to compel persons to fasten their horses or other animals attached to vehicles or otherwise while standing in the streets, alleys or public places.
- Interruption of traffic while public works in progress, &c. 10. To regulate or interrupt traffic in the streets of the city while duly authorized works of public improvement are being carried on or during fires.
- Flying of flags, &c. 11. To regulate or prevent the flying of flags, banners and signs across the streets, alleys and public places, and to regulate, license or prohibit the construction and use of billboards and signs adjacent to or near streets, alleys and public places, or upon any vacant lot or other property."

37. Article 369 of the act 60 Victoria, chapter 62, is replaced by the following :

369. To authorize and regulate the granting of licenses to carters, owners or drivers of vehicles for hire, or to owners of vehicles used in the city for the delivery of meat, bread, milk, ice, vegetables, groceries, or any other goods, effects or merchandise, whether such owners reside in or outside of the city ; to make regulations for the good government and discipline of the drivers of such vehicles for hire ; to fix a tariff of the rates they shall be entitled to charge, and to punish persons who use such vehicles and refuse to pay the fare as established by a tariff.”

60 V., c. 62,
art. 369, re-
placed.

Carters'
licenses, &c.

38. Article 370 of the act 60 Victoria, chapter 62, is replaced by the following :

370. To license and regulate hackmen, draymen, expressmen, porters, and all other persons or corporations, including street railway companies, engaged in carrying passengers, baggage or freight in the city ; to regulate their charges therefor ; to prescribe standing places or stations within the streets or near railway stations, where the same may remain while waiting for business, and to prohibit the same from standing or waiting at any other places than the places so prescribed ;—notwithstanding the above, the council may, by mere resolution, authorize the police committee to establish, fix and change the carters' stands from time to time.”

60 V. c. 62,
art. 370, re-
placed.

Hackmen, &c.

39. Article 376 of the act 60 Victoria, chapter 62, is replaced by the following :

376. To establish pounds under the supervision and control of the council ; for the keeping of animals of all kinds found straying in the city, to authorize the distraining and sale of such animals, and to fix a tariff of fines for such impounding.”

60 V., c. 62,
art. 376, re-
placed.

Public
pounds, &c.

Tariff.

40. The following article is inserted after article 378 of the act 60 Victoria, chapter 62 :

378a. 1. To regulate the planting, rearing and preserving of ornamental trees in the streets, squares and parks of the city ; and to punish those who injure ornamental trees or shrubs in the streets, squares, and public parks of the city.

Art. added
after 60 V.,
c. 62, art. 378.

Planting, &c.,
of ornamental
trees.

2. To compel the owner or owners of vacant property within the limits of the city to keep the same clear of any brush or other material or substance liable to communicate fire to adjoining property.”

Vacant
property.

Article added after 60 V. c. 62, art. 382. **41.** The following article is added after article 382 of the act 60 Victoria, chapter 62 :

Peddlers, &c. “ **382a.** 1. To license and regulate all peddlers, book-agents, canvassers, street hawkers, chimney sweeps, vendors and public criers doing business in the city.

Vehicles on markets, &c. 2. To regulate the kind of vehicles in which articles may be exposed for sale in the markets, or in the neighborhood thereof, the manner in which they shall be there located ; to impose a duty on such vehicles, and to establish the mode in which such duty shall be collected.

Sale of goods on markets, &c. 3. To provide that provisions and provender, usually bought and sold in public markets, that may be brought to the city for sale, shall be conveyed to the public markets and there exposed for sale, and that no such provisions or provender shall be offered, or exposed for sale, or be sold or purchased elsewhere in the city than on the public markets ; but the council may provide for empowering any person to sell, offer or expose for sale, beyond the limits of said markets, meat, vegetables and provisions usually bought or sold on public markets, by granting him a license for that purpose, upon payment of such sum and upon such conditions as shall be fixed by by-law.

Driving of horned cattle, &c., through streets. 4. To regulate the manner and route in and by which horned cattle and other animals shall be driven in the city, and the destination of cattle intended for slaughter.

Public abattoirs. 5. To establish, regulate and manage public abattoirs, either within or without the limits of the city, that is to say at a distance of three miles from its limits ; provided, in the latter case, that the city obtains the consent of the council of the municipality in which it wishes to establish such abattoirs ; and to prohibit the establishment of private abattoirs in the city.

Licenses. 6. To fix the amount, terms and manner of issuing licenses, not inconsistent with the law and subject to the provisions of this charter and its amendments, provided that no license shall be issued for a longer time than one year.

Licenses for non-resident traders. 7. To prevent any person residing beyond the city limits, from carrying on his trade or business within the city, without taking out a license and number for each and every vehicle used in the city for the purposes of such trade or business ; provided that there be no unjust discrimination against such person.

Auctioneers, &c. 8. To license and regulate auctioneers, pawnbrokers, second-hand dealers, and to compel all such persons to keep records of their transactions, and make report thereof, and to give communication of such records to any constable

desiring to examine the same, and to deliver, daily, at the nearest police station, a legible and correct extract therefrom, showing the purchases, exchanges or sales effected by the said persons on the preceding day.

9. To provide for the revocation of licenses.

Revocation of licenses.
Licenses for all kinds of business, &c.

10. To require licenses to be obtained for the pursuit of all kinds of trades and industries, and of all kinds of business, the payment whereof cannot be exacted under any other provision of the charter or of any act amending the same ; to divide such trades, industries and business into different classes ; determine the price of the license to be obtained for each class, either by taking a specified figure for each class, or taking as a basis the rental of the premises in which such trades, industries and business are carried on.

11. To regulate and control, in a manner not contrary to any specific provisions on this subject contained in this charter, the exercise, by any person or corporation, of any public franchise or privilege in any of the streets or public places in the city, whether such franchise or privilege has been granted by the city or by the Legislature, without prejudice to acquired rights.

Public franchises.

12. To license and regulate auction sales, runners, agents and solicitors for stages, cars, vessels and houses of public entertainment."

Auction sales, &c.

42. Article 399 of the act 60 Victoria, chapter 62, is replaced by the following :

60 V., c. 62, art. 399, replaced.

" 399. All immoveable property situated within the limits of the city of St. Henri shall be liable to taxation and assessment, except such as may be hereinafter declared exempt therefrom.

Taxable immoveable property.

Immoveable property shall comprise lands, buildings erected thereon, machinery and other property so fixed or related to any building or land as to form part of the realty, and also all pipes, poles, wires, rails, tunnels and other constructions and other apparatus of every nature used in connection with the generation or distribution of power, light, heat, water, electricity or for traction purposes, whether any of the same be constructed or placed upon, over or under property, streets, highways, or elsewhere, within the limits of the city.

Interpretation of immoveable property.

The following immoveable property is exempt from the ordinary and annual assessment :

Exemptions from assessment.

(a) Buildings or parts of buildings used for the purpose of religious worship, including the land on which the same are built, as well as bishops' palaces, fabriques

Churches, &c.

and parsonages when occupied as a residence by the officiating priest or minister of any church in the city ; provided, however, that but one parsonage for each church shall have the benefit of the exemption ;

Educational establishments.

(b) The lands and buildings recognized as educational establishments by the Council of Public Instruction, or subsidized by the Catholic or Protestant School Commissioners of the city ;

Public libraries.

(c) Lands and buildings exclusively occupied and used as public libraries, reading-rooms, art galleries, or museums, provided the same are opened gratuitously to the public and are not kept for lottery purposes ;

Establishments of higher education.

(d) The lands and buildings owned and exclusively occupied as establishments of higher education or scientific teaching duly incorporated or recognized by the Government.

Exemption not to apply to certain taxes.

The above exemption shall not apply to special taxes or assessments, nor to the water-rate or price of water ; it shall not apply either to the said lands and buildings, or portions thereof, occupied or used for industries or works the profit whereof is not entirely applied to the support of such institutions ; and the assessors shall make, in such case, a special and separate estimation of the value of such lands and buildings or portions thereof."

60 V., c. 62, art. 400, replaced.

43. Article 400 of the act 60 Victoria, chapter 62, is replaced by the following :

Return by railways showing immoveables possessed by them.

"**400.** Railway companies, which possess immoveable property in the municipality, shall transmit to the office of the council, in the month of May in each year, a return showing the actual value of their immoveable property in the city, other than the road, and also the actual value of the land occupied by the road, estimated according to the average value in the city."

60 V., c. 62, art. 450, replaced.

44. Article 450 of the act 60 Victoria, chapter 62, as replaced by the act 2 Edward VII, chapter 51, section 2, is again replaced by the following :

Special valuation of lands, &c., for business-tax.

"**450.** In all cases where the council shall decide to base the business tax on the annual value of the lands and buildings occupied or used for industries or works which, according to law, render the persons carrying on the same responsible for the said business-tax, the city official charged with the duty of making the collection roll for the said tax shall make a special and separate valuation of such lands and buildings or portion thereof really occupied for the purposes of the said business."

45. Article 450a of the act 60 Victoria, chapter 62, as enacted by section 4 of the act 61 Victoria, chapter 55, is replaced by the following : 60 V., c. 62, art. 450a, replaced.

“ 450a. The amount of such business-tax in the case of all keepers of clubs, wherein wine, beer or spirituous liquors are sold shall be the following : Business-tax for clubs in which liquors are sold.

When the annual assessed value of the premises occupied for the above purpose shall not exceed \$160..... \$27 00
When the assessed value shall be :

From \$160 to \$240.....	36 00
“ 240 to 320.....	45 00
“ 320 to 400.....	56 25
“ 400 to 500.....	67 50
“ 500 to 600.....	78 75

with an increase of \$10 for each \$100 or fraction of the same over \$600.

Nothing in this article contained shall affect the act 63 Victoria, chapter 12, sections 30 and 160.” 63 V., c. 12, se s. 30 and 160, not to be affected.

46. Article 450b of the act 60 Victoria, chapter 62, as enacted by the act 62 Victoria, chapter 61, section 5, is replaced by the following : 60 V., c. 62, art. 450b, replaced.

“ 450b. The council may also, in addition to the above taxes, impose and levy, by a vote of the majority of the whole of its members, the following special taxes : Imposition of special taxes upon :

- (a) A special tax, not exceeding \$1.00, on bicycles, tricycles and other vehicles of that kind. This provision shall not apply to such vehicles when used by children under 10 years of age ; Bicycles, &c.;
- (b) A special tax, not exceeding \$10, on milkmen and bakers ; Milkmen, &c.;
- (c) A special tax, not exceeding \$15, on carters or hackmen ; Carters ;
- (d) On the owners of horses and vehicles, for each every horse, a special tax not exceeding \$2, and for each and every vehicle, a special tax not exceeding \$5 ; except such owners as are licensed or taxed under the preceding paragraph ; Owners of horses and vehicles ;
- (e) A special tax, in the form of a license, not exceeding \$25, on every vehicle used to bring, from outside municipalities into the city, goods and merchandise of any kind ; and the council may double, treble or quadruple the amount of such tax according as such vehicle is drawn by two, three or four horses ; Vehicles, &c., of non-residents ;

- Employment offices, &c. ; (f) A special tax, not exceeding \$50, on employment offices, public laundries, keepers of private hospitals, private immigration agencies, real estate agents, peddlers, hawkers, hucksters, junk and second-hand dealers and all itinerant traders doing business in the city ;
- Billiard-tables, &c. (g) On persons and clubs keeping billiard-tables, pigeon-hole-tables, bowling-alleys, shooting galleries and other similar games, a special tax, not exceeding \$50, for each billiard-table, pigeon-hole table, bowling-alley, shooting gallery or game ;
- Butchers's stalls, &c. ; (h) A special tax, not exceeding \$50, on every person keeping a butcher's stall within the limits of the city outside of the grounds set apart for the public markets of the said city, and on every fish, provision or produce dealer carrying on business outside of the land used for public markets, but this clause shall not affect retail grocers ; the tax may, however, be increased to the sum of \$100 in the case of persons doing a wholesale business in the above lines ;
- Stockbrokers ; (i) A special tax, not exceeding \$50, on stockbrokers, financial agents and money lenders ;
- Vendors of bankrupt stocks ; (j) A special tax, not exceeding \$100, on every person opening temporarily a shop to sell therein any bankrupt stock or other effects ;
- Pawnbrokers ; (k) A special tax, not exceeding \$200, on pawnbrokers ;
- Auctioneers, &c. ; (l) A special tax, not exceeding \$200, on auctioneers and \$40 on auctioneers' clerks ;
- Accident and guarantee insurance companies, &c. ; (m) A special tax, not exceeding \$200, on every accident, or guarantee insurance company, and \$400 on every fire or life insurance company, doing business and taking risks in the city ; provided that when any such insurance company combines two or more branches of any kind of insurance, one tax only shall be levied upon such company, that is to say, the tax, the rate whereof is the highest on any of the said branches of insurance respectively ;
- Insurance canvassers ; (n) A special tax, not exceeding \$50, on every insurance canvasser in the city ;
- Banks, &c. ; (o) A special tax, not exceeding \$300, on every bank or branch of a bank doing business in the city ;
- Detective agencies, &c. ; (p) A special tax, not exceeding \$100, on every detective agency, and a special tax, in the form of a license, not exceeding \$5, on every constable or guardian of the peace not being under the control of the Government, the municipality, or railway or navigation companies ;

- (g) A special tax, not exceeding \$500, on all persons Art unions, companies or corporations engaged in or promoting art &c. ; unions, art associations, and such like enterprises, whose operations consist in advancing, lending, giving, selling or in any way disposing of any property by lots, tickets, cards or any other mode of chance whatsoever, and a special tax not exceeding \$10 on every person selling or offering for sale such tickets or cards ;
- (r) A special tax, not exceeding \$50, on commission mer- Commission chants selling food products ; merchants ;
- (s) On persons, corporations or firms carrying on the coal Coal oil ven- oil trade and selling by retail or delivering such oil in dors ; the streets or places in the city other than their place of business, a tax not exceeding \$50 for each vehicle drawn by one horse, \$75 for each vehicle drawn by two horses, \$100 for each vehicle drawn by three horses, and \$120 for each vehicle drawn by four horses, employed for the purposes of such trade or commerce ;
- (t) On every person, firm or corporation keeping public or Public scales, private scales for use in consideration of a fee, a special &c. ; tax not exceeding \$20 ;
- (u) A special tax, not exceeding \$50, on every owner of a Skating skating rink ; rinks ;
- (v) A special tax, not exceeding \$50, on every owner of a Museums, museum, concert hall, dancing hall, or hall where theat- &c. ; rical representations are given, or any place of amusement whatsoever, and on all persons giving exhibitions of animated or other views ;
- (x) A special tax, not exceeding \$5 per diem, on any ex- Exhibitions hibition given by means of magic lanterns or electric by magic-lan- lamps, or other apparatus or illuminated advertise- terns, &c. ments, images or signs, used for advertising articles not included in the usual trade of the house whereon such sign is placed ;
- (y) A special tax, not exceeding \$100, on all persons, Ice vendors ; companies and corporations dealing in and delivering ice in the city."

47. The following article is added after article 450b of Art. added the act 60 Victoria, chapter 62, as enacted by the act 62 after 60 V., c. 62, art. 450b. Victoria, chapter 61, section, 5 :

" **450c.** 1. In addition to the above taxes mentioned in Other taxes the foregoing articles, the council may also impose such taxes may be im- as are otherwise authorized by this charter. posed.

- Business-tax payable for every establishment. 2. The business-tax shall be payable for every establishment of such trade, business or occupation, when carried on by the same person, firm of persons or company in two or more distinct and separate buildings or places of business.
- Collection of special taxes. 3. The council may pass such by-laws as may be necessary to enforce the collection of any special tax or special assessment or business-tax imposed in virtue of this charter or any of the provisions which amend the said charter.
- Declaration respecting. It shall also have the right to determine, by by-law, the declaration which persons, companies and corporations paying taxes under this section shall be obliged to make, even under oath, to facilitate the collection of the said taxes.
- Valuation in default of declaration. In default of such person, company or corporation making such declaration as required by the by-laws of the city, the assessors or officers appointed by the council shall estimate the matters subject to the said taxes, and such valuation shall be valid for all lawful purposes.
- Preparation of collection roll. 4. The assessors or the officer thereunto duly authorized shall also make, between the first of May and the first of June of every year, a collection roll which shall specify all the personal and business-taxes due to the city in virtue of any law or by-law, and the names of all persons liable therefor.
- To be according to wards- Notice to be given in cases when business-tax is based on valuation of premises. This roll shall be prepared according to wards.
5. In all cases where the council, in the exercise of its discretion, decides to base the business tax on the annual value of the lands and buildings upon and in which the trades, business and industries liable to such tax are carried on, the officer charged with the duty of making the collection roll, shall give public notice thereof according to the provisions of the city charter, specifying in each case the delay for the examination of the said rolls, with respect to each ward of the city ; such delay shall not be less than eight days from the publication of such notice, and the said notices shall further mention the days whereon the said rolls shall be respectively revised, and, in particular, the days whereon the revision of that portion of the rolls relating to each of the various wards of the city shall take place.
- Date for revision of roll. The revision of the collection roll must be completed on the fifteenth of June of each year and not later.
- Complaints against roll, &c. 6. During the delays fixed by the said notices respectively, the assessors or the officer charged with the duty of making such collection roll shall receive all complaints that may be brought before them or him, respecting any entries or omissions in the collection roll, at the respective times and places announced by such notices, and may adjourn, from time to time, as may be necessary, to hear and determine such complaints, but they shall give their decision in the shortest delay possible, on or before the twenty-first of June.

7. All complaints in respect of the collection roll must be made in writing, and the said assessors or officer shall have power to hear and examine upon oath the parties interested or their agents, in respect of such complaints, and thereupon confirm or amend the entries complained of.

How complaints to be made.

Proceedings thereon.

8. Articles 413, 414, 415, 416 and 417 of the charter shall apply, *mutatis mutandis*, to the preparation of the said collection roll.

Articles to apply to preparation of roll.

9. The taxes entered in the collection roll may then be collected by the city in accordance with the provisions of the charter and of the by-laws respecting the imposition and levying of taxes.

Collection of taxes.

10. Nothing in the present article can prevent the city, if it deems advisable, from putting into execution the penal clauses that may be contained in the said by-laws.

Penal clauses in by-laws.

11. The said taxes shall cover a period of one year from the day on which they become exigible under the law and the by-laws.

Taxes to cover one year.

12. In the event of the council, in its discretion, deciding to fix the amount of the said personal or business-taxes at a specified amount, the said collection roll shall not be subject to the provisions of paragraphs 5, 6, 7 and 8 of this article, except that portion of paragraph 8 above which makes article 417 of the charter apply to the collection of the said taxes *mutatis mutandis*.

If business, &c., tax specified amount §§ 5 to 8 not to apply.

Exception.

To make the preparation of the said collection roll complete, it shall be sufficient that the officer entrusted with such preparation deposit the same in the hands of the city clerk, after certifying and signing the same, and thereupon such roll shall be binding as regards all persons therein named or assessed who shall be deemed to be indebted to the city for the sums respectively entered in the said roll.

Deposit of roll.

13. In the case provided for by paragraph 12 of this article if, outside of the time prescribed for the preparation of the said collection roll, any person, company or corporation becomes subject to any one of the clauses of the by-law respecting such business-tax, it shall be lawful for the council to order its officers to add such person, company or corporation to the roll.

Additions to roll.

In such case the foregoing provisions regarding the exigibility of the said taxes shall apply.

Certain provisions to apply.

14. Whosoever, during the course of the fiscal year, carries on any kind of business, trade or occupation which renders him liable to the business-tax or other taxes aforesaid, shall be liable to pay the same in full whatever may be the time of the year when such tax or taxes become due, unless the council remits a portion thereof on account of the short time that remains to run.

Taxes due for full year.

Exception.

License re-
quired by non-
residents.

15. The council may prevent any person residing outside the city from carrying on his trade or business within the city limits without being thereunto authorized by a license obtained from the city for the purposes of such trade or business.

Commercial
travellers not
affected.

The provisions of this paragraph shall not apply to commercial travelers according to the provisions of article 640 of the charter.

Interpreta-
tion.

Nothing in this paragraph shall be interpreted as depriving the city of the power it may otherwise possess, in virtue of any provision of the charter or of the acts amending the same, to impose and levy a tax on such persons.

Departmental
stores.

16. An additional tax, not exceeding five per cent. of the annual value, according to the valuation roll, of the premises wherein departmental stores are established and carried on, may also be imposed and levied by by-law on such persons, companies or corporations, for each and every separate branch of trade or business established or carried on in such departmental stores.

Power of
council
respecting.

The council may by by-law classify and define the various kinds of trade and business carried on in such departmental stores for the purpose of imposing such tax."

60 V., c. 62,
art. 451, re-
placed.

48. Article 451 of the act 60 Victoria, chapter 62, is replaced by the following :

Business-tax
on all trades,
&c.

"**451.** The council may also impose and levy, by by-law, a tax to be called the "business-tax," on all trades, manufactures, financial or commercial institutions, premises occupied as warehouses or storehouses, occupations, arts, professions, or means of profit or livelihood, carried on or exercised by any person or persons, in the city ; provided that such business-tax does not exceed ten per cent. of the annual value of the premises in which such trades, manufactures, financial and commercial institutions, occupations, arts, professions or means of profit or livelihood are respectively exercised or carried on, or, in the discretion of the council, that such tax shall be a fixed sum which shall not exceed three hundred dollars per annum. In the latter case, the council may divide such trades, manufactures and business above-mentioned into classes, following for such divisions the customs of the trade, and fix, within the limit above stated, the amount it shall deem advisable to be paid for each of the said trades, manufactures and business.

Respon-
sibility for tax

All persons, companies and corporations engaged in or carrying on such trades, manufactures, financial or commercial institutions, occupations, arts, professions or means of profit or livelihood shall be responsible directly for the payment of such tax."

49. Article 453 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **453.** A business-tax, not to exceed three hundred dollars, shall be imposed and levied on all hotel-keepers, tavern-keepers and restaurant-keepers keeping a hotel, tavern or restaurant in the limits of the city, notwithstanding the provisions of the act 63 Victoria, chapter 12, article 160.”

60 V., c. 62,
art. 453, re-
placed.

Hotelkeepers,
&c.

50. Article 453*a* of the act 60 Victoria, chapter 62, as enacted by section 6 of the act 62 Victoria, chapter 61, is replaced by the following :

“ **453*a*.** The council may, by by-law, impose a tax, not exceeding thirty cents, on telephone, telegraph and electric poles erected within the limits of the city.”

60 V., c. 62,
art. 453*a*, re-
placed.

Tax on tele-
graph, &c.,
poles.

51. The following article is added after article 478 of the act 60 Victoria, chapter 62 :

“ **478*a*.** It shall be lawful for the council to decide, by resolution, that the signatures of the mayor and secretary-treasurer, required by articles 477 and 478 of the charter may be lithographed signatures.”

Art. added
after 60 V.,
c. 62, art. 478.

Lithographed
signatures.

52. Article 640 of the act 60 Victoria, chapter 62, is replaced by the following :

“ **640.** The corporation shall not levy any tax upon any commercial traveler, taking orders or selling goods, wares or merchandize by sample, catalogue or price list, or require any such person to procure a license from the corporation.

The only persons who shall be deemed commercial travelers within the meaning of this act shall be *bonâ fide* members of the Dominion Commercial Travelers' Association, or any other similar association or corporation, and also all persons whose duties allow of their becoming members of such association, society or corporation ”

60 V., c. 62,
art. 640, re-
placed.

No tax on
commercial
travellers.

Definition of
commercial
traveller.

53. All by-laws in force adopted by the council in virtue of the provisions contained in the articles repealed by this act shall continue to be in force until the said council shall have replaced them by others in virtue of this act.

Existing by-
laws under
repealed
clauses.

54. Nothing contained in this act shall affect any exemption from taxes lawfully granted to any corporation or person, until the expiration of the term for which such exemption has been granted.

Exemptions
not affected.

55. Nothing in this act contained shall be interpreted as authorizing the city of Saint-Henri to change or alter the method or basis of assessment of the property of railway companies in the said city, nor to tax any property of the said

Basis, &c., of
taxation of
railway prop-
erty not
affected.

companies which is not, or which would not be now subject to taxation.

City not to violate obligations, &c.

56. Nothing in this act contained shall be interpreted as permitting the city to violate any of the obligations undertaken by it under contract, nor any concessions made, nor any exemption granted by by-law, resolution or otherwise, nor affecting or repealing powers specially granted by statute to corporations or companies, or as in any manner modifying the present position of the corporations or companies which have, or the *auteurs* whereof have, contracts with the city.

Coming into force.

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

CHAP. 53

An Act to amend the charter of the city of Sherbrooke

[Assented to 2nd June, 1904].

Preamble.

WHEREAS the corporation of the city of Sherbrooke has, by petition, prayed for an act to amend its charter, the act 55-56 Victoria, chapter 51, as amended by the act 62 Victoria, chapter 62, the act 63 Victoria, chapter 51, and the act 3 Edward VII, chapter 66, and whereas it is expedient to grant the prayer of 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:

55-56 V., c. 51 s. 85, replaced.

1. Section 85 of the act 55-56 Victoria, chapter 51, as replaced by the act 63 Victoria, chapter 51, section 4, is again replaced by the following:

R. S., 4678 to 4615 to apply when not inconsistent. Powers thereunder supplementary to those of charter. Certain articles of the R. S., not to apply.

“ 85. The law respecting town corporations, being articles 4178 to 4615, inclusively, of the Revised Statutes, applies to the city of Sherbrooke, only in so far as it is not inconsistent with the express provisions of this act; and the powers therein conferred on the city, the city council and its officers, are to be considered as supplementary to those herein given.

The following articles of the said Revised Statutes do not apply to the city of Sherbrooke, viz:

4195, 4202, 4216, 4227, 4229, 4232, 4234, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4250, 4251, 4253, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261, 4263, 4264, 4271, 4272, 4290, 4406, 4414, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4556, 4557, 4558, 4560, 4614.”