

114. The secretary-treasurer shall, so soon as he shall have on hand twenty-five dollars or more, be bound to deposit temporarily in a chartered bank all moneys derived from assessments, taxes or otherwise belonging to the town corporation ; and such money shall be drawn out only on orders or checks signed by the mayor or in his absence by the pro-mayor and countersigned by the secretary-treasurer.

Deposit by
secretary-
treasurer of
moneys re-
ceived.

115. In the event of there being at the time of the sanction of this act or afterwards, any errors due to inadvertence, omission or irregularity in any proceeding in expropriation or in any reports of arbitrators or commissioners or in any assessment roll in connection with the cost of any improvement, whether such error, omission or irregularity has been committed by the arbitrators or commissioners or any of them or by the persons authorized by law to perform such proceedings, the Superior Court or a judge thereof may, in his or its discretion, on petition to that effect, allow the errors, omissions or irregularities to be rectified, on such conditions as the court or judge may impose with regard to costs.

Correction of
errors, &c.,
in expropria-
tion proceed-
ings.

116. This act shall come into force on the day of its sanction, for municipal and school purposes, and in two years from the day of its sanction, for electoral purposes.

Coming into
force.

CHAP. 53

An Act to amend the act 40 Victoria, chapter 46, respecting the village of *Pointe au Pic*, and to increase its powers

[Assented to 28th March, 1901]

WHEREAS the corporation of the village of *Pointe au Pic* has, by petition, prayed for the passing of an act to amend the act of the Legislature of Quebec passed in the fortieth year of the reign of Her Majesty, Queen Victoria, and intituled : "An Act to erect the village of *Pointe au Pic* into a separate municipality," and to increase its powers, and has represented that it would be in the interest of such village that the amendments hereinafter set forth be made to such act ; and whereas it is expedient to grant such prayer ;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

40 V., c. 46, s. 1, replaced. **1.** Section 1, of the act 40 Victoria, chapter 46 is replaced by the following :

Village constituted.

Name.

Description of territory.

“**1.** The following portion of the municipality of the parish of *St. Etienne de la Malbaie* shall constitute a separate village municipality, under the name of the “Municipality of the village of *Pointe au Pic*,” to wit: “all that portion on the river St. Lawrence, lying between the north-west line of the farm belonging to Xavier McNichols, prolonged across the seigniorial domain to the river St. Lawrence, and the south-west line of the property of W. B. Lamb, the said front on the river St. Lawrence including from the aforesaid line of the farm of Xavier McNichols, in a general southerly direction twenty-six arpents, and thence in a general south-westerly direction forty-six arpents ; in depth all that portion included between the river St. Lawrence, and a line having its departure at thirteen arpents from the said river St. Lawrence, on the aforesaid line of Xavier McNichol’s farm, and stretching towards the north-west line of the property of the said W. B. Lamb, intersecting this latter line at eight arpents from the said river St. Lawrence, the distance between the two points above mentioned being about twenty-five and a half arpents ; further, all that portion included between the said river St. Lawrence and the north-west line of the property of the said W. B. Lamb, as far as the south-west line of the said property, the distance calculated on the the north-west line of the said property of the said W. B. Lamb being about thirty-six arpents.”

40 V., c. 46, s. 2, replaced.

Municipal Code to apply.

2. Section 2 of the said act is replaced by the following :

“**2.** All the provisions of the Municipal Code, and the acts amending the same, referring to village municipalities established according to the provisions of the said code, in so far as they are consistent with this act, shall apply to the said municipality of the village of *Pointe au Pic*.”

Sec. added after 40 V., c. 46, s. 4.

Entry of by-law in book of by-laws.

3. The following sections are added after section 4 of the said act :

“**4a.** The original of every by-law shall, in future, be entered at length in a special book called the “Book of By-laws of the council of *Pointe au Pic*,” and such entry shall be signed by the mayor and countersigned by the secretary-treasurer.

Also copies of notices of publication.

The secretary-treasurer shall further enter in such book, after each by-law registered therein, a copy, certified by him, of the notice of publication of such by-law.

“ 4b. The council shall likewise have power to pass by-laws : Power of council to pass by-laws : For system of sewers, &c. ;

1. For ordering the construction of a system of sewers within the limits of the village at the expense of the corporation, and, in the case of absolute necessity owing to obstacles from the formation and nature of the ground over which the road passes, expropriating property for such purpose in accordance with the provisions of the Municipal Code if an amicable agreement be impossible ; fixing the rates to be paid by the rate-payers for the use of such drains, and levying by assessment or loan the moneys required for that object ; regulating the manner of making such drains, and determining the mode of levying the taxes ;

2. For compelling every owner, tenant or occupant to construct at his own expense the private drains necessary to enable him to use such public drains, if the health laws require it ; determining the kind of plumbing to be used in all buildings erected in the village and regulating and ordering the putting in of water-closets and also regulating the ventilation and volume of air in such buildings ; For compelling use of public drains, &c. ;

3. For the good order, welfare, improvement, cleanliness, health, internal economy and local government of the village ; for the prevention and suppression of all nuisances and all acts and proceedings obstructive, opposed or disadvantageous to good order or morality, or the welfare, improvement, cleanliness, health, internal economy or local government of the village ; and for the better protection of the life and property of the inhabitants and for protection against fire ; For good order, &c., of village ;

4. For ordering the opening of new streets, the widening or alteration of existing streets ; and for prescribing the mode of construction and maintenance of the village streets, at the expense of the corporation or of the property owners as the council may deem expedient, according to such plans and on such conditions as it may deem advisable ; For opening new streets, &c. ;

5. For authorizing the granting of licenses to carters, owners and drivers of vehicles for public hire, of saddle-horses kept for hire, and of horses and vehicles hired by the month or for the summer season in the village, in accordance with articles 582 and 582a of the Municipal Code ; for compelling them to take out annual licenses ; and for regulating everything concerning carters and their vehicles ; For licensing carters, &c. ;

6. For making a tariff of fares payable to carters and of the rates payable to owners of saddle-horses for their services ; for compelling them not to charge more than the rates allowed by the tariff ; and for punishing persons hiring, engaging or employing a carter and refusing to pay him according to the tariff ; For tariff of fees for carters, &c. ;

For govern-
ment of car-
ters, &c. ;

7. For compelling every licensed carter to give his services to any persons asking him for the same, at the rates stated in the tariff ;

For taxing
owners of
saddle horses,
&c.

8. For exacting, in accordance with article 582*a* of the Municipal Code, a higher rate from owners or hirers of saddle- or carriage-horses who have not resided in the municipality for twelve months or who keep saddle horses in the said municipality for the purposes aforesaid during the summer season only ;

For taxing
owners of
horses, &c. ;

9. For imposing and levying, annually, on every horse owner for every horse not already taxed in virtue of the foregoing paragraphs, a tax not exceeding two dollars, provided the council may, by by-law, exempt from such tax persons who already pay a special tax in connection with their trade ;

For levying
taxes on cer-
tain callings
and trades ;

10. For imposing, levying and collecting, annually, a tax, not exceeding ten dollars, on every auctioneer, jeweller, goldsmith, painter, baker, butcher, blacksmith, wheelwright, joiner, carpenter, tailor, cabinet-maker, tanner, tin-smith, plumber, roofer, shoemaker, builder, and other person carrying on any trade or art within the limits of the village, working there habitually or keeping an establishment therein as proprietor, agent or foreman ; which tax may, as much as possible, be in proportion to the probable revenue of the proprietors, agents and foremen ;

For taxing
insurance
agents, &c. ;

11. For imposing, levying and collecting, annually, a tax, not exceeding twenty dollars, upon every insurance company or its agent residing in the village ; upon every commission merchant ; upon every owner of goods sold upon commission ; upon every owner, agent or director of a theatre, circus or other amusement, doing business or giving representations in the town ; to be proportioned, as much as possible, to the extent or value of each kind of business ;

For taxing in-
dustries, &c. ;

12. For imposing, levying and collecting, on every industry and manufacture whatsoever in the village, an annual tax not exceeding fifty dollars ; but such tax may be imposed and levied according to the amount of the probable revenues and profits of each manufacture :

For taxing
peddlers, &c. ;

13. For imposing, levying and collecting, annually, a tax, not exceeding twenty-five dollars, upon every peddler or hawker who goes from house to house to sell any kind of goods and merchandise ; upon every merchant or trader whomsoever selling or offering his goods for sale in the roads, streets or public places, on the wharves, in a boat, schooner or other vessel, or in any vehicle ; and upon every proprietor or possessor of a stock-in-trade or goods and merchandise who settles temporarily in the village, for the purpose of selling and offering such goods and merchandise for sale ; such tax shall be in proportion to the kind of

business and to its importance, and shall be levied by compelling such peddler, hawker, trader temporarily in the town and other retailers to take out a license from the council to sell within the limits of the town, by paying the taxes imposed ; provided nothing in this section shall apply to farmers bringing in and selling the produce of their farms at the residences in the municipality ; Proviso ;

14. For imposing, levying and collecting, annually, a tax, not exceeding twenty dollars, on every proprietor, tenant or occupant of a hotel, boarding-house or other building in which travellers are harboured ; which tax shall be paid as the price of the license which each such proprietor, tenant or occupant, his agent or clerk, shall obtain from the council in the course of the month of May of each year, to be authorized to open and keep such hotel, boarding-house or other building intended for travellers ; For taxing hotels, &c. ;

15. For imposing an annual tax, not exceeding two dollars, on owners or hirers of bicycles residing in the municipality ; for regulating the speed at which such vehicles may be run in the roads and streets of the village ; and for making by-laws respecting the manner in which bicycles shall be ridden, in the interest of public safety ; For taxing bicycles, &c. ;

16. For ordering and exacting for the granting of the licenses under the foregoing paragraphs 9, 10, 11, 12, 13 and 14, from persons who have not resided in the municipality for twelve months, double the price above specified ; For levying double taxes in certain cases ;

17. Every person who carries on any business, industry, occupation, art or trade in the village as above set forth or who keeps an animal for which a tax is imposed by the council, without previously obtaining the necessary license or paying the tax imposed, is liable to a fine of at least one dollar and fifty dollars at the most, for each infringement and, in default of payment, to an imprisonment not exceeding thirty days ; For imposing penalty on persons carrying on industries without paying taxes, &c.

18. For prohibiting and regulating the sale by retail of spirituous, alcoholic or intoxicating liquors within the limits of the village ; For prohibiting retail sale of liquor ;

19. For levying, annually, on the immoveable property within the limits of the village, a tax not exceeding one cent. in the dollar of the total value entered on the valuation roll ; For taxing immoveable property ;

20. For establishing a rate for supplying water if the corporation acquires the ownership of the water-works constructed within the limits of the village. For fixing waterrate, &c.

“ 4c. Any constable or police officer of the municipality may, without being thereunto required by the mayor or by a member of the council, or by the council itself : Powers of constables, &c. to

Arrest offenders against by-laws ;

1. Apprehend or arrest any person found contravening the provisions of a municipal by-law, punishable by fine, if it be so ordered by the by-law, and take him before a justice of the peace, to be dealt with according to law ;

Arrest vagabonds, &c.

2. Arrest without warrant, any person he finds disturbing the public peace, or lying, wandering or loitering, by day or night, in any road, field, yard or other place, lodging or sleeping in any barn, shed or other unoccupied building, or under a tent, cart or other vehicle, and not giving a satisfactory account of himself, and also any person shouting, swearing or making a noise in any public street or road or in any place within the limits of the village.

Issue of promissory notes.

“ 4d. The council may, by resolution, in order to pay any debt or obligation, issue promissory notes signed by the mayor and the secretary-treasurer, provided the aggregate amount of such notes does not exceed three thousand dollars at any one time.

Notice of suit to be given of claims for damages for accidents.

“ 4e. If any person alleges or claims that he has received an injury in consequence of an accident for which he intends to demand any damages or compensation from the village, he shall, within thirty days from the date of such accident, notify the village of such intention by a written notice containing the particulars of his claim and his address.

Prescription of suit.

The action must be brought within six months.

Extension of limits of village for police purposes.

“ 4f. For police purposes, the municipality of the village of *Pointe au Pic* shall extend to a line on the River St. Lawrence a quarter of a mile from low water mark.

Discount on taxes.

“ 4g. The council may grant a discount, not exceeding five per cent., to rate-payers who pay their general and special taxes within the delay fixed by it each year.

Power to purchase water-works.

“ 4h. The corporation of the village has the power of purchasing the water-works constructed in the village, and for that purpose to contract a loan in accordance with the provisions of the Municipal Code and its amendments.”

Coming into force.

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