

act, which are hereby declared to apply to the city of Sorel, may be also followed to establish the legal limit of the said indebtedness."

**9.** Article 155 of the said act is replaced by the following: Id., 155, replaced.

"**155.** The presiding officer receives the nomination-papers and nominates the candidates proposed by such nomination-papers. Presiding officer to receive nominations.

When there shall be only three aldermen to be elected, each nomination-paper after the third, shall mention the candidate in opposition to whom another candidate is proposed; and, in such case, a poll shall be held for recording the votes in favor of each candidate when there are candidates in opposition; but in the contrary case, that is, where there shall be no opposing candidate, the candidate nominated shall be deemed and declared unanimously elected." Contents of nomination-paper in certain event.

**10.** Article 139 of the said act is replaced by the following: Id., 139, replaced.

"**139.** The mayor shall, henceforth be elected for two years by the vote of the majority of the electors of the city." Election of mayor for two years by vote of electors.

**11.** Article 559 of the said act is replaced by the following: Id., 559, replaced.

"**559.** The payment of municipal taxes may be claimed by an action brought, in the name of the city, before the magistrate's court, the recorder's court, the circuit or the superior court, or before the mayor; and in every such action, a statement or detailed account sworn to by the secretary-treasurer or city-clerk shall be sufficient proof of the claim subject to contrary proof like all other evidence." Suits for taxes, &c., before what court to be brought. Proof of claim.

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

## C A P. LXI

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

[Assented to 10th March, 1899]

**W**HEREAS the city of St. Henri has, by its petition, Preamble. represented that it is expedient to amend certain provisions of its charter, to grant it more ample powers, to grant it authority to effect a loan to enable it to meet its obligations and engagements, and to perform certain per-

manent works, absolutely needed for 1899; and whereas it is expedient to amend its charter in that sense;

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

Art. added after 60 V. c. 62, art. 72.  
Deposit with nomination-paper.

**1.** The following article is added after article 72 of the charter, 60 Victoria, chapter 62:

“**72a.** When the nomination-paper is handed to the presiding officer, a sum of fifty dollars in gold, in silver, in Dominion notes or in the notes of an incorporated bank doing business in the Province shall be paid into his hands by each candidate for the office of alderman.

Amount thereof.  
Not liable to seizure.

The amount of such deposit shall be one hundred dollars in the case of a candidate for the mayoralty. This amount shall not be liable to seizure and shall be returned to the candidate who is elected or who, if not elected, obtains at the voting at least one-third of the number of votes polled in favor of the candidate elected; otherwise such sum shall belong to the city.

To be returned to candidate in certain event.  
Application of amounts not withdrawn.

The various amounts so paid, and which are not withdrawn, shall be applied by the presiding officer to the payment of election expenses, and he shall account therefor to the secretary-treasurer of the city.”

Art. added after id., 241.

**2.** The following article is added after article 241 of the charter:

Appointment of boiler inspector.  
Name.  
Salary, qualifications and powers.

“**241a.** The council may appoint a person to inspect the steam boilers used in the city.

Such officer shall bear the title of ‘Boiler Inspector.’ He shall have the salary, possess the qualifications, exercise the powers and perform the duties which the council shall determine by a by-law intituled: “By-law respecting the inspection of steam boilers in the city of St. Henri”; provided that such by-law shall not be inconsistent with the by-laws passed under article 3028 of the Revised Statutes, as enacted by the act 57 Victoria, chapter 30. This clause shall not apply to railway locomotives and engines.”

Not to apply to locomotives.

Art. added after id., 365.

**3.** The charter is amended by adding, after article 365, the following:

City may renounce to certain expropriations, &c.

“**365a.** The city of St. Henri may renounce to the whole or part of the expropriations respecting which plans have been confirmed, by resolution of the majority of the members of its council, without prejudice to the damages that may have occurred to the interested parties by the deposit and confirmation of such plans, and the city is authorized to borrow to pay the damages, if there are any, provided the amount does not exceed \$100,000.”

**4.** Article 397a of the charter is amended by adding thereto the following paragraph: Id. art. 397a, amended

"Such revision shall extend to all information not already contained in the valuation roll in force, but, as regards the value of the real estate on the valuation roll, the assessors making such revision shall not alter it, unless a lot, vacant during the previous year, has been built upon, or unless the buildings have undergone such transformation that the value of the immoveable has thereby been increased by at least one-tenth." Revision of valuation roll to what confined.

**5.** The following article is added after article 450a of the charter: Art. added after id. 450.

"**450b.** The council, may by by-law, impose a tax not exceeding one dollar on each bicycle, tricycle and other similar vehicle in the city. Tax on bicycles, &c.

Such tax shall be paid by the owner thereof residing in the city. By whom payable.

This provision shall apply to persons who hire out such vehicles, but shall not apply to those used by children under ten years of age." To whom article applies.

**6.** The following article is added after article 453 of the charter. Art. added after id. 453.

"**453a.** The council may, by by-law, impose a tax not exceeding thirty cents on telegraph, telephone and electric light poles. Tax on telegraph, &c., poles.

Nothing in this article shall affect vested rights under existing contracts." Vested rights.

**7.** Article 511 of the charter is replaced by the following: id. art. 511, replaced.

"**511.** The arbitrators shall decide which party shall pay the costs of the arbitration. Such costs shall be paid by the city if the amount offered by it is exceeded by the award of the arbitrators; but each party shall pay its costs if the demand of the claimant exceed by twenty-five per cent the amount finally awarded by the arbitrators Costs of arbitration and by whom to be payable.

They shall decide also on the amount of remuneration each arbitrator shall receive, which remuneration shall not exceed five dollars per day." Remuneration of arbitrators.

**8.** Article 653 of the charter is replaced by the following: Id., 653, replaced.

"**653.** The fiscal year in the city of St. Henri may be determined by a by-law of the council; but the yearly taxes and assessments, with the exception of the business-tax and other yearly dues, are deemed to be imposed and levied for the period comprised between the first day of January of each year and the same date of the following year." Fiscal year. Tax year.

Id., 656, replaced.

9. Article 656 of the charter is replaced by the following :

Limit of appropriations.

“656. Such appropriation shall never exceed the amount of the receipts of the preceding year, added to the unexpended balance of such receipts.”

Id., 658, replaced.

10. Article 658 of the charter is replaced by the following :

Responsibility of member authorizing over expenditure.

“658. Any member of a committee of the council who either verbally, or in writing, or by a vote or tacitly authorizes the expenditure of any sum of money beyond the amounts so appropriated and the amounts lawfully at the disposal of the council, or of any committee, shall be personally responsible therefor.”

Ratification of certain over-expenditure, &c.

11. Notwithstanding any provision to the contrary and in particular article 630 of the act 61 Victoria, chapter 65, every expense hitherto incurred and authorized by the city council in excess of the appropriations is ratified and confirmed ; and no responsibility shall rest upon the aldermen who shall have voted for such additional expenditure, and such expenditure shall be charged to the loan fund.

Power to borrow certain sums for certain purposes.

12. The city of St. Henri is hereby authorized to effect a loan, not exceeding the sum of \$126,000.00, to meet the following existing obligations and engagements :

- 1. Indemnities due to certain proprietors expropriated in 1897 according to law and to the city by-laws, and on which the city pays an average annual interest of five per cent. per annum..... \$ 54,000.00
  - 2. Notes due to l'Union St-Joseph and the Banque Jacques Cartier in St-Henri ; the proceeds of such notes having been used chiefly to defray the cost of the expropriations for which the city was liable in 1896 ; to meet certain unforeseen and extraordinary expenses on which the city pays interest at the rate of six per cent. per annum..... 72,000.00
- 
- \$126,000.00

Sums so borrowed not to be diverted.

13. In no case shall it be permitted to divert the sums borrowed for the above purposes so that the amount not expended for any of such purposes may be applied to one or several others.

How loan to be effected.

14. The loan authorized by this act shall be effected solely by means of bonds or debentures, the duration whereof shall not be less than fifty years from the date of their

issue after having been authorized by by-law or by by-laws of the council under title eleven of the charter; provided, that the said by-laws be voted by the majority in number and in value of the electors who are proprietors and who have voted.

**15.** Article 665 of the charter is replaced by the following: Id., 665, replaced.

**665.** The borrowing powers, heretofore granted to the city, shall cease as soon as the council shall have borrowed under this act, and all provisions or any previous acts, inconsistent with this act, are hereby repealed, saving the right to borrow in accordance with article 490 of the charter; but such of the said provisions as may apply to the registration, privilege, ranking and transfer of any stock or bonds of the city now outstanding, shall continue to have force and effect as respects such stock and bonds only." Borrowing powers to cease in certain event. Repeal of inconsistent provisions. Proviso.

**16.** Article 666 of the charter is replaced by the following: Id., 666, replaced.

**666.** If, at any time, the moneys in the hands of the city-clerk, applicable to the payment of the interest or principal of any of the loans heretofore authorized and made, or of any interest due upon any debenture stock issued under this act, be insufficient to pay such interest or principal, it shall be the duty of the clerk, on the order of the council expressed in a resolution adopted at a meeting at which at least two-thirds of the members of the council shall be present, to calculate what rate upon the assessed value of the immoveable property, liable to assessment in the city, will, in his opinion, (after making fair allowances for expenses, losses and deficiencies in the collection of such rate) be required to produce a sum sufficient, with the moneys in his hands applicable to the purpose, to pay the sum due for such interest or principal or both, and to certify such rate under his hand to the city council, for the information of the latter (in the form L.)" If funds available insufficient, city-clerk to calculate what rate necessary.

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