

Effect of
award.

4. The award containing the description of the land taken, passed before a notary and duly registered, shall take the place of an irrevocable and incommutable title.

Publications,
&c., in Eng-
lish.

118. When anything has to be published in English, it shall be translated from the French original, without its being necessary to have an original in English.

Coming into
force.

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

CAP. LXVI

An Act to amend the charter of the town of Victoriaville.

[Assented to 10th March, 1899]

Preamble.

WHEREAS the corporation of the town of Victoriaville has, by petition, prayed for certain amendments to its charter, and it is expedient to grant its prayer;

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

SECTION I

TRANSITORY AND OTHER PROVISIONS

Present may-
or and coun-
cillors.

1. The present mayor and councillors of Victoriaville shall remain in office until removed or replaced in accordance with this act.

Present mu-
nicipal officers
and employ-
ees.

2. The present municipal officers and employees of the said town shall likewise remain in office until they are removed or replaced by the council.

Existing *procès-verbaux*,
&c.

3. All *procès-verbaux*, assessment rolls, statements of dues, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, agreements, provisions, engagements or municipal acts whatsoever, passed and agreed to by the council of the said town, shall continue to have full force and effect, until they are cancelled, amended, set aside or accomplished according to law.

Notes, &c.,
signed, &c.,
before coming
into force of
this act.

4. All notes, bonds, debentures, obligations and engagements whatsoever, signed, endorsed, accepted, issued or contracted by the said council, up to the coming into force of this act, shall have all their legal effect, notwithstanding the passing of this act.

5. All privileges, gifts, bonuses and engagements whatsoever consented to or entered into by the council, either in favor of religious communities or in favor of commercial or industrial companies or private individuals, are declared valid and are validated by this act, even if all the formalities required by law were not observed when they were granted. Privileges, &c., granted rendered valid.

6. The corporation shall be subject to the general law governing town corporations, contained in chapter I of Title XI (articles 4178 and following) of the Revised Statutes, except where this act derogates therefrom or contains provisions inconsistent therewith. Law to govern.

7. Wherever, in the said general act, the words "superior court" or "prothonotary" appear, they shall respectively be replaced by the words "circuit court in and for the district of Arthabaska" or "clerk of the circuit court in and for the district of Arthabaska," as the case may require. Replacing of certain words in general act, for town.

8. In addition to the powers conferred by article 4192 of the Revised Statutes, the corporation may exercise the following powers: R. S., 4192., and other powers.

1. Have a common seal which it may change or alter at pleasure; Seal.

2. Sign, draw, endorse, transfer, give, accept or receive notes to order or bearer, bills of exchange, cheques, bonds, obligations, debentures, judgments, securities or other deeds, whether negotiable or not, in the exercise and fulfilment of all the powers and rights conferred upon it by its charter and by law, and of all the duties and obligations which devolve upon it, especially for the security of loans, for the payment and settlement of amounts due to or by it under any act, contract, covenant or agreement for the payment of grants and for other lawful purposes. Power to sign, &c., notes, &c.

SECTION II

ANNEXATION OF NEW TERRITORY TO THE TOWN

9. Article 4472 of the Revised Statutes is amended, for the town, by adding the following paragraphs thereto: R. S., 4472, amended for town.

3. Upon petition of the majority in number and in value of the proprietors of any territory adjacent to the territory of the town, addressed to the council, the latter may, by by-law or simple resolution, enact and effect the annexation of such territory to the town, so as to form part thereof. Annexation of adjacent territory.

4. It may equally annex, in the same manner, any territory adjacent to that already annexed. Annexation of further territory.

5. From and after such annexation, the owners of lands, comprised in the territories annexed in virtue of this article, shall enjoy all the benefits, rights and privileges conferred Benefits, &c., of owners of lands, &c., annexed.

by this act upon the inhabitants of the town, and shall be subject to the same duties and obligations imposed on them by the same act.

Application
of articles of
Municipal
Code.

53 V., c. 78,
arts. 5 to 12,
repealed.

6. Articles 78 to 192, inclusively, of the Municipal Code apply to the town.

10. Articles 5, 6, 7, 8, 9, 10, 11 and 12 of the act 53 Victoria, chapter 78, are repealed.

SECTION III

COUNCIL OF THE CORPORATION

R. S., 4194,
replaced for
town.
Composition
of council.

11. Article 4194 of the Revised Statutes is replaced, for the town, by the following :

The municipal council of Victoriaville consists of a mayor and of six councillors : two for the North Ward ; three for the South Ward and one for the West Ward, elected as hereinafter prescribed.

R. S., 4192,
replaced for
town.
Quorum of
council.

12. Article 4192 of the Revised Statutes is replaced, for the town, by the following :

Four members of the council shall constitute a quorum.

R. S., 4195,
replaced for
town.
Term of office
of mayor :
Of council-
lors.

13. Article 4195 of the Revised Statutes is replaced, for the town, by the following :

The mayor is elected for two years.

The councillors are elected for three years, except in the case provided for in article 4197 of the Revised Statutes, and subject to the restriction set forth in the following paragraph :

Retiring of
present coun-
cillors.

At the first general election following the coming into force of this act, two of the councillors of the South Ward shall be elected up to the following month of January only ; they shall draw lots to ascertain which shall remain in office and the two councillors for the North Ward shall be elected, only up to the first day of January, 1902.

R. S., 4196,
not to apply
to town.

14. Article 4196 of the Revised Statutes shall not apply to the town.

R. S., 4207,
replaced for
town.
Signature to
debentures,
&c.

15. Article 4207 of the Revised Statutes is replaced, for the town, by the following :

Unless the council otherwise provides, he signs, seals and executes, in the name of the council, all debentures, contracts, agreements or deeds made and passed by the corporation, and the secretary-treasurer countersigns them.

16. Article 4231 of the Revised Statutes is replaced, for the town, by the following :

At each such election a mayor is elected, if the office of mayor be vacant, in accordance with article 13 of this act, and as many councillors as are required by this act in the case of the first election, or as go out of office in the case of the following general elections.

R. S., 4231,
replaced for
town,

Election of
mayor and
councillors to
replace those
retiring.

SECTION IV

POWERS OF THE COUNCIL

17. Articles 2 and 4 of the act 53 Victoria, chapter 78, are repealed.

53 V., c. 78,
arts 2 and 4
repealed.

18. The following article is added, for the town, after article 4447 of the Revised Statutes :

Art. added
after R. S.,
4477, for
town.

1. Prevent racing or trotting on the bridges and in the streets at a faster rate than that fixed by the by-laws ;
2. Prohibit the placing of pipes on roofs, and determine in certain cases the materials of which the houses and roofs shall be made, and determine the line on which buildings shall be put up on the streets ;
3. Make by-laws with reference to wood- or coal- yards and the measuring of wood and coal ;
4. Suppress games of strength, skill and hazard or authorize the same by license ; restrict, regulate or prohibit the keeping of public billiard-tables, shows, pigeon-hole tables or other similar establishments ;
5. Make by-laws respecting the keeping of taverns, restaurants and places of public entertainment ;
6. Prevent filth and dirt from being thrown into the streets, ditches or water-courses or on the sidewalks, and order their removal ;
7. Regulate the construction of privies, cellars, drains and ovens, as well as the use of steam-engines in workshops and factories ;
8. Restrict, regulate or prohibit any person from maintaining, keeping or using abattoirs within the limits of the town, or regulate the maintenance of such abattoirs ;

Prevent rac-
ing, &c. ;
Prohibit plac-
ing of pipes
on roofs, &c. ;

Make by-
laws respect-
ing wood-
yards ;
Suppress
games of
skill, &c. ;

Regulate tav-
erns, &c. ;

Prevent filth
being thrown,
&c., streets,
&c. ;

Regulate con-
struction of
privies, &c. ;

Restrict, &c.,
abattoirs, &c. ;

9. Cause to be arrested and punished every person in the town disturbing the peace, loitering in the streets, swearing, using blasphemous, obscene or insulting language, impeding peaceful people or obstructing passengers, persons under the influence of liquor, drunkards and those who infringe the by-laws of the town respecting the public peace, order or health ; and have such persons detained in custody and handed over to the guardian of the gaol or other place of

Cause per-
sons disturb-
ing peace, to
be arrested.

safe-keeping in the town, until they are brought before the mayor or another justice of the peace, to be dealt with according to law.

R. S., 4404,
replaced for
town.
Grant aid
towards
bridges, &c.

19. Article 4404 of the Revised Statutes is replaced, for the town, by the following :

Grant aid towards the making of bridges, dams, piers, wharves, slides, macadamized or paved roads, railways or other public works or any industrial establishment, situate wholly or partly within the municipality or in its vicinity, undertaken and built by incorporated companies or by the Provincial Government or by one or more individuals or by civil or commercial partnerships :

1. By taking and subscribing stock in any company incorporated for the purpose ;

2. By giving or lending money to such company or to such individual or individuals or to such commercial or civil partnerships ;

3. By securing by endorsement or otherwise the payment of any sum of money borrowed by such company, individual or individuals, or commercial or civil partnership ;

4. By exempting such industrial establishments from municipal taxes, assessments and rates in accordance with the provisions of section sixth of chapter second of the general law respecting town corporations.

SECTION V

TAXES AND LICENSES

53 V., c. 78,
art 15, re-
placed.

20. Article 15 of the act 53 Victoria, chapter 78, is replaced by the following :

Power to levy
taxes for ex-
penses of
management,
&c :

"15. For the purpose of levying the moneys required to meet the expenses of management, to provide for improvements and redeem the obligations of the town, the town council may, annually, by by-law or resolution, levy upon moveables and immoveables in the town and upon persons and their various occupations or professions the special and general taxes hereinafter set forth, to wit :

Upon im-
moveable
property.

1. Upon all immoveable property, a sum not exceeding a cent and a half in the dollar on the total real value, as shown on the valuation roll of the town in force ;

Upon stocks-
in-trade, &c.

2. Upon all stocks-in-trade or goods kept by merchants or traders and exposed for sale on shelves or otherwise in shops or stores or kept in vaults, sheds, yards or other places, an amount not exceeding fifty cents per hundred dollars of the average estimated value of such stocks-in-trade or goods, to the amount of one thousand dollars, and ten cents per hundred dollars for every additional value, provided that, in no case, shall such tax exceed the sum of twenty dollars ;

3. Upon every tenant paying rent in the town, an annual sum of at least one dollar, and not exceeding five cents in the dollar on the amount of the rent, when it exceeds twenty dollars per annum ;

Upon tenants ;

4. Upon every person habitually practising in the town the profession of advocate, physician, notary, dentist, surveyor, civil engineer, architect or veterinary surgeon or any other liberal profession, or acting as a public officer or employee, a sum not exceeding ten dollars.

Upon certain professional men.

This tax is called the "professional tax."

Name of tax ;

In the event of a person holding several of the offices taxable under this provision, only one tax shall be exacted.

One tax only to be exacted ;

The persons who are subject to the professional tax are bound to pay the same on account of their employment or the duties they perform in the town, even when they do not reside therein ;

Non residents liable therefor ;

5. Upon each stallion kept for breeding purposes, a sum not exceeding ten dollars ;

Upon stallions ;

6. Upon each dog, a sum not exceeding two dollars ;

Upon dogs ;

7. Upon each bicycle, a sum not exceeding two dollars.

Upon bicycles.

The person in possession of the animals and articles above-enumerated is deemed to be the owner thereof and is taxed in consequence, saving his recourse, if any, against the real owner.

Who are reputed proprietors.

Horse-dealers and dealers in bicycles are not subject to the tax imposed on such animals and articles, as regards the horses and bicycles which they buy, make or keep for sale in the ordinary course of their trade."

Persons exempt.

21. The council may also, in its discretion, impose and levy annually a special tax, called "business-tax", upon all or any persons or companies exercising, practising or carrying on, in the town, any of the kinds of business, occupations, arts, professions, industries, manufactures or means of profit or of livelihood hereinafter mentioned, namely :

Power to impose business-tax upon :

1. Upon every pedlar or itinerant trader residing in the town, a sum not exceeding twenty dollars ;

Pedlars, &c. ;

2. Upon every broker, commission merchant, pawnbroker, auctioneer and exchange broker, a sum not exceeding thirty dollars ;

Brokers, &c.

3. Upon every brewer, distiller or wine manufacturer, a sum not exceeding fifty dollars ;

Brewers, &c. ;

4. Upon every person keeping billiard, mississippi, pigeon-hole tables, bowling alleys or other similar games, a sum not exceeding twenty dollars ;

Persons keeping billiard tables, &c. ;

5. Upon every fire or life insurance company doing business or taking risks in the town or on their agents, a sum not exceeding fifty dollars ;

Insurance companies &c.

Bankers, &c.; 6. Upon every banker and bank and their agents or managers doing business, a sum not exceeding two hundred dollars ;

Electric, tele- 7. Upon every electric telegraph, telephone, electric light
graph com- or gas company and upon every express company or their
panies, &c. : agents, a sum not exceeding fifty dollars ;

Butchers, &c.; 8. Upon every butcher, grocer, fancy goods, iron or general merchant, druggist, baker, huckster, hawk, owner or keeper of a coal- or wood- yard, slaughter house or tannery ; upon every dealer in horses ; upon every manufacturer of bricks, soap, glue, ginger-beer or other beer ; upon every owner of mills driven by steam or water power, foundries, manufactories whatsoever, or their agents or managers, or all persons working the same ; upon all carriage-makers, blacksmiths, tinsmiths, barbers, tailors, bottlers, shoemakers, printers, newspaper-editors, a sum not exceeding twenty dollars.

Contractors. 9. Upon every contractor, fifty cents per hundred dollars on the amount of the contract unless he already pays the tax authorized by this act.

Non residents 10. Persons or companies liable to the business-tax are
liable to tax. obliged to pay the same, on account of their business or industry within the town, even if they do not reside therein.

Tax under 22. The special taxes enumerated in article 21 may be
art. 21 may imposed and levied under the form of license, if the council
be levied un- so decides, and in such case it is not necessary that the per-
der form of sons liable to such taxes be mentioned in the valuation and
license. collection rolls.

Persons liable 23. Every person who, during the fiscal year, carries on
to pay full or practises any kind of business, trade or occupation, which
tax even if renders him liable to the business-tax, is bound to pay the
they carry whole of such tax, whatever may be the time of the year at
on business for part of which it becomes due, unless the council remits any portion
year only. of such tax, on account of the short time to elapse before
Exception. the end of the fiscal year.

Business-tax 24. The business-tax is exigible for carrying on each
payable on such trade, business or occupation, even when it is so carried
each. on by the same person, firm or company.

Power to levy 25. The council may levy, by license for a year or for a
certain sum determined period or otherwise, upon all persons who do
by way of not reside within the limits of the town, and who sell, retail,
license from expose for sale or peddle any species of goods and effects,
persons ex- such yearly sum as it may determine, provided such sum does
posing goods, not exceed one hundred dollars.
&c.

Collection of 26. In case a person bound to take out a license is not
fee for license provided with the license specified in the foregoing article,
by distress. the amount thereof shall be demanded of him by the

secretary-treasurer or any other municipal officer; and, in default of immediate payment, such amount shall be levied without delay by means of a warrant under the hand of the mayor and the seal of the corporation, addressed to a bailiff of the superior court or to one of the municipal officers, and the merchandize shall be seized upon the very person of the vendor and be sold for the payment of such license by such bailiff or municipal officer or any other, after a notice of eight days posted at the door of the parish church.

27. The council may, moreover, by by-law or by simple resolution, levy and collect, by special license, a sum not exceeding one hundred and fifty dollars of and from all persons who come temporarily into the town to sell or cause to be sold merchandize, goods or effects, coming wholly or in part from a bankrupt stock or other stock of goods, either by auction or by private sale.

Tax upon transient traders.

28. Every license, signed by the secretary-treasurer, gives the holder the right to practise or carry on his art, trade, profession, business or industry until the expiration of the fiscal year.

Powers under licenses.

29. Article 4414 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4414, replaced for town. Price, &c., for transfers of licenses for sale of intoxicants.

Fix a sum, not exceeding one hundred dollars, for the granting, transferring or renewing of each certificate for obtaining a license authorizing the sale of spirituous, vinous, alcoholic or intoxicating liquors.

30. The council shall further have the right to levy :

Tax upon :

1. On every wholesale liquor store, a tax of one hundred dollars;

Wholesale liquor store..

2. On every temperance hotel, house of public entertainment and restaurant, a tax of fifty dollars.

Temperance hotel, &c.

31. Whether there be or be not a by-law to that effect, no person or company shall keep in the town any circus, menagerie or equestrian show, or give any theatrical or musical performance, or keep any show, exhibition, gymnasium or other game for profit, without having previously obtained, for each of such representations or other objects, a permit from the mayor and a license from the secretary-treasurer, and without having paid the latter, for such license, a sum not exceeding one hundred dollars for every circus, menagerie or equestrian show, and a sum not exceeding twenty dollars for each of the other objects mentioned in this article.

License required before any circus, &c., can be exhibited in the town.

Amount of fee
for such li-
censes.

32. The council may, by simple resolution, determine the sums payable for the licenses mentioned in the preceding article.

Payment
compulsory
for every one
coming to the
town to carry
on trade for
which license
is required.

33. Every stranger who comes into the town to carry on any business, trade or occupation, which renders him liable to the business-tax, either before or after the making of the valuation rolls, and whose name is not entered on such rolls, shall be bound to pay such tax as if it were imposed by license and on demand of payment made by the secretary-treasurer or a municipal officer, accompanied by a detailed statement in writing setting forth the by-law imposing such tax and the amount imposed.

R. S., 4468,
replaced for
town.

34. Article 4468 of the Revised Statutes is replaced, for the town, by the following :

Carters, &c.,
required to
take out li-
cense.

1. Oblige carters, proprietors or drivers of public vehicles for hire or for conveyance of loads in the town, to procure from the corporation an annual license, represented by numbers supplied by the corporation, the price of such licenses not to exceed the sum of five dollars for each such number ; also to oblige them to affix such numbers on each vehicle or harness ;

Non resi-
dents obliged
to take out
such license.

2. Every person plying the trade of carter or driver of public vehicles for hire or for the conveyance of loads in the town shall be obliged to pay for such license and to procure such number even if he do not reside within the limits of the town.

Council may
impose tax on ;
Clerks, &c. :

35. The council may also impose :

1. Upon every clerk, commercial traveller, bank manager, manager of a factory, of a commercial corporation, of a commercial or civil partnership, and generally upon every person receiving a monthly or annual salary, a tax equal to one per cent. on the amount of their salary provided that, in no case, shall such amount exceed the sum of twenty dollars.

Male inhabi-
tants not
otherwise
taxed.
Exception ;

2. Upon every male inhabitant of the age of twenty-one years, who has resided one month in the town and who pays none of the aforesaid taxes, an annual sum of two dollars ; except upon sons residing with their father and living in common with him.

Non-residents
working by
the day.

3. Upon every person who does not reside in the town and who possesses no property therein, but who works by the day therein for at least one month or more, the sum of two dollars.

Taxes under
§§2 and 3 may
be levied by
license.

The tax mentioned in the last two paragraphs may be collected by means of a license, even when the said persons are not entered on the valuation or collection rolls in accordance with the method prescribed in article 26 of this act.

36. The council may instruct the assessors to add to the valuation roll a list of the persons and of the moveables taxed under the foregoing articles, and all amounts, taxes or licenses so imposed and levied shall be exigible in law. Addition to valuation roll of persons, &c., liable to taxes.

37. Every person who infringes the provisions contained in article 31 of this act is liable to a fine not exceeding one hundred dollars, recoverable in the manner prescribed in article 4584 of the Revised Statutes, or three months imprisonment in default of payment of the fine. Infringements of article 31 liable to fine, &c.

CAP. LXVII

An act to amend the charter of the town of Summerlea.

[Assented to 10th March, 1899.]

WHEREAS the corporation of the town of Summerlea Preamble. has by its petition represented that it is desirable to amend its charter, to extend its limits and to grant it more ample powers, and it is expedient to grant such prayer ;

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

I. Section I of the charter of the town of Summerlea, 58 58 V. c. 57, s. 1, replaced. Victoria, chapter 57, is replaced by the following :

“1. The town of Summerlea shall comprise the following Territory comprised in town. territory to wit: The lots known and designated as numbers 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 897, 898 and 899 of the official plan and book of reference of the cadastre of the parish of *Les Saints Anges de Lachine*, with their subdivisions, and also that portion of the lot known and designated as lot No. 880 of the said cadastre of the said parish of *Les Saints Anges de Lachine* situate to the south of the Queen's highway on the river St. Lawrence, and finally such portions of the said lot 880 of the cadastre of the parish of *Les Saints Anges de Lachine* now owned by the representatives of Cornelius C. Meeker and by Peter Lyall on the north side of the Queen's highway—which territory is bounded on the east by the town of Lachine, on the west by Dorval village and by that part of lot No. 880 of the cadastre of the said parish of *Les Saints Anges de Lachine* which is situate to the north of the Grand Trunk Railway of Canada ; on the north by the centre of the public highway of *La Côte de Notre Dame de Liesse* in the parish of *La Présentation de la Sainte Vierge*, by lots Nos. 895 and 896 of the cadastre of the parish *Les Saints Anges de*