

that the half-yearly interest mentioned therein has been paid.

Bonds how secured.

All these bonds, in capital and interest, shall be secured by special and privileged lien on the immovable properties of the said school commissioners.

R. S., 4213, § 6, to form part of charter.

**7.** Paragraph 6 of article 4213 of the Revised Statutes shall form part of the charter of the city of Three Rivers.

## C A P . L V

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

[Assented to 15th January, 1898]

Preamble.

**W**HEREAS the city of St. Henri has, by petition, represented that it is desirable to effect certain amendments to its charter and to grant it more ample powers, 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 :

60 V., c. 62, art. 95, replaced.

**1.** Article 95 of the charter of the city of St. Henri, 60 Victoria, chapter 62, is replaced by the following :

Liquor shops to be closed during certain hours on polling day.  
Penalty.

**“ 95.** During the whole time that the polls are open and for two hours after they are closed, every store or licensed house for the sale of spirituous or fermented liquors in any ward in which there is voting shall be closed, under a penalty of a fine of one hundred dollars, and of three months' imprisonment in default of payment.”

Id. 397, amended.

**2.** The first paragraph of article 397 of the charter is replaced by the following :

Valuation of taxable property when to be made.

**“ 397.** It is the duty of the valuator in office to make, every second year at the time ordered by the council, the valuation of the taxable property in the city.”

Art. added after id., 397.

**3.** The following article is added after article 397 of the charter :

Valuation roll for 1898 to remain in force for 1899.

**“ 397a.** The valuation roll made for the year 1898 shall remain in force for the year 1899, saving the following provisions :

Roll to be revised during 1898.

**1.** In the course of the year 1898, at the time ordered by the council, the valuator in office shall make a revision of the valuation roll in force, which revision shall comprise the information not already contained in the said roll.

2. Such revision shall be afterwards made for every year when no new valuation roll is to be made under article 397 of the charter.

Revision to be made every year that no roll is made.

3. The valutors in office, while making the revision of the valuation roll, shall act *mutatis mutandis* in accordance with the provisions of the charter respecting the making of the roll, which shall apply *mutatis mutandis* to the revision for all intents and purposes."

Duties of valutors when making revision.

4. The following article is added after article 450 of the charter :

Art. added after id. 450.

"450a. It shall be lawful for the council of the city of St. Henri to impose and levy an annual tax on every person residing in the municipality and practising therein the profession of advocate, physician, notary, dentist, veterinary surgeon, or any other liberal profession, provided that such tax do not exceed five dollars per annum."

Taxes on professional men.

5. Article 523 of the charter is replaced by the following :

Id. 523, replaced.

"523. Whenever, in the case of the opening and widening of a street, or for establishing a square, public place or market, the council shall find it more advantageous for the city to expropriate more than the land strictly required for the proposed improvement, the city shall have the right to expropriate such portion of the land constituting the remainder of the expropriated property, with the consent of the proprietor, by proceeding for such expropriation according to the formalities prescribed by the charter and its amendments for cases of ordinary expropriation.

Council may expropriate more land than is absolutely required.

In such case, as well as in every case when it shall have lawfully become the owner of an immoveable, the city shall have the right to sell, exchange, and make over, in whole or in part, the residue of the property expropriated, provided such sale be effected by public auction to the highest and last bidder, in the manner in which the same shall have been determined by a resolution of the council."

May sell surplus land, &c.

6. Article 524 of the charter is replaced by the following :

Id. 524, replaced.

"524. The city shall have the right to acquire, for municipal purposes, properties without or within its limits, provided that, as regards the property outside, it shall obtain, from the municipality within which the property is so situated, the authorization to use the same for the purpose for which it has been purchased.

Acquisition of property by city.

Consent required, if beyond limits.

As regards the acquisition of property within the limits of the city, the latter may proceed in virtue of the provisions of its charter which apply to ordinary expropriations."

Proceedings, if within limits.

Id. 526, re-  
placed.

**7.** Article 526 of the charter is replaced by the following :

When pro-  
ceedings in  
expropriation  
are to be had.

**“ 526.** Notwithstanding the provisions contained in articles 363, 364 and 365, the city cannot be compelled to proceed to such expropriation of the properties indicated as to be expropriated for any improvement whatsoever on the homologated plans for the streets of the city, except when the council shall have decided to proceed with such expropriation ; but such expropriation shall be made within five years from the 21st December, 1897, except for the expropriation of St. James street from the line of the Grand Trunk Railway to the western limits of the city.”

Proviso.

Id. 565, re-  
placed.

**8.** Article 565 of the charter is replaced by the following :

Jurisdiction  
in suits for :

**“ 565.** It has the jurisdiction of a recorder, and shall hear and determine summarily :

Taxes :

1. Any action brought for the recovery of any sum of money due to the corporation for any tax or assessment imposed by any by-law or resolution of the council ;

Money due as  
rent of butch-  
ers stalls, &c. :

2. Any action for the recovery of any sum of money due to the corporation, for the rent or license of any butcher's stall, or other stall or stand in or upon any of the public markets in the city, in virtue of any by-law of the council, or for any tax or duty imposed and levied in and upon the public markets or private butchers' stalls in the city ;

Water-rates :

3. Any action for the recovery of water-rates, or any sum of money that may be due and payable for the supply of water furnished from the Montreal Water and Power Company to any house or building or for the use of any person in the city ;

Servants' wa-  
ges :

4. Any action for the recovery of the wages of servants, apprentices, domestics or journeymen, or of damages arising out of the hire of work, the amount of which shall not exceed twenty-five dollars ;

Fines under  
regulations of  
Board of  
Health.

5. Any suit for the recovery of any fine or penalty imposed in virtue of the regulations of the Board of Health of the Province of Quebec.”

Titles and ar-  
ticles added  
after id. art.  
652.

**9.** The following articles and titles are added after article 652 of the charter :

#### “ TITLE XXVI.

##### FINANCES.

Fiscal year.  
Taxes, &c.,  
deemed to be  
imposed from  
1st May to 1st  
May.

**“ 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 are deemed to be imposed and levied for the period comprised between the first day of May of each year and the same date of the following year.

“ **654.** The council may, from amongst its members, Committees appoint as many committees as may be necessary for the ex- of council. pediting of the business and the execution of the duties assigned to them by the by-law.

“ **655.** Every year, at the time fixed by the by-law men- Interim ap- tioned in article 653, the finance committee shall make an *inte-* ropriations *rim* appropriation for the ordinary current expenses of the for certain city, during the period of the fiscal year, between the day expenses. fixed by by-law as aforesaid and the making of the approp- riation hereinafter provided for ; which, on being approved by the council, will have force until such last mentioned appropriation be made. Afterwards, on or before the first Annual ap- day of May, the council shall make an appropriation of the ropriations amounts necessary to meet the expenditure of the current for : fiscal year, by providing :

1. For the payment of the interest on the debt due by the Payment of city, and for such sum as shall be required during the year interest, &c. for the sinking fund ;
2. For the general and ordinary expenditure of the city ; General
3. For the sum necessary for contemplated improvements ; expenditure :
4. For a reserve of not less than five per cent on the gross Improve- revenue of the preceding year to be used exclusively to meet ments : unforeseen expenditure. Reserve fund.

“ **656.** Such appropriation shall never exceed the Limit of ap- amount of the expenses of the preceding year, added to the ropriation. balance of such receipts remaining unexpended.

“ **657.** It shall not be lawful for the council to expend Council not to any greater sum of money in the aggregate than the total exceed appro- amount so appropriated, except in the cases and under the priations. conditions hereinafter set forth ; but it may, at any time, vary the application of the sums appropriated to any committee, to any other purpose within the jurisdiction of such committee.

“ **658.** Any member of the council who approves of the Liability of expenditure of any sum of money beyond the amounts so member of appropriated and the amounts at the disposal of the council, council who or of any committee, in conformity with the foregoing arti- assents to ex- cles, shall be personally responsible therefor. cess of expen- diture.

“ **659.** In cases of urgent necessity, the council may, by Appropriations in cases by-law, make any appropriation it may think necessary of urgent beyond the amounts at its disposal ; provided that, by necessity. such by-law, an additional assessment shall be imposed, Special tax to payable during the course of the year in which such by-law be levied is passed, and sufficient to cover the amount so appropriated ; therefor. which assessment shall be imposed, recovered and collected

in the same manner as the ordinary taxes and assessments imposed and levied in virtue of this act.

## TITLE XXVII.

### CONSOLIDATION OF THE DEBT.

#### ISSUE OF DEBENTURE STOCK.

Issue of permanent debenture stock.

Interest thereon.

Privilege therefor.

“ **660.** The city may issue permanent debenture stock payable either in currency or sterling, in accordance with articles 445 and 481 of the charter.

Such debenture stock shall bear interest at a rate not exceeding three and a half per cent. per annum and shall constitute a first and privileged charge upon the property and revenues of the city, subject always however to the prior charge of the presently existing outstanding bonds and consolidated stock, in so far as the same shall remain unredeemed.

Sum to be set aside to pay the same.

“ **661.** The city in making such issue shall set apart and retain a portion thereof sufficient to produce, at the market price of such issue on the London stock exchange, a capital equivalent to the then existing debt.

Application thereof.

Such portion, or the proceeds thereof, shall be used exclusively for the extinction, by exchange, redemption, purchase or repayment of the existing debt and permanent stock respectively, in such manner as shall be determined by the corporation; provided that nothing herein contained shall be held as authorizing the said corporation to compel any of its creditors or bondholders to accept payment of his debt before the maturity thereof, or of any irredeemable stock heretofore issued by the said city.

Application of remainder of issue.

“ **662.** The remainder of the issue hereby authorized shall be used for permanent works, that is to say:—(1) drainage, (2) street opening, (3) paving of streets and sidewalks, (4) fire and police stations, (5) public parks, (6) hospitals for epidemic and other diseases.

By law to be made respecting issue, &c.

“ **663.** Before making the said issue, the city council shall make a by-law regulating the manner, and limiting the amounts in which such issue may be made, the place or places where the interest on such debenture stock shall be payable, and where it may be registered; the mode and effect of the registration thereof and the mode of evidencing such registration; the transfer or transmission of such stock and the issue of certificates therefor; the closing of the registers and transfer books; and all other matters of detail concerning such debenture stock, not being contrary to law or to the provisions of this act. Such by-law shall constitute the basis of issue of such debenture stock and shall

not be altered or amended but shall remain in force so long as any such stock remains outstanding.

“ **664.** The bonds and securities of the city, already redeemed, by means of the sinking fund heretofore created, shall be forthwith cancelled and destroyed, and it shall not be necessary, in future, to provide for the redemption of the existing debt of the said city, otherwise than by the issue of debenture stock under the powers hereby conferred upon it. Cancelling of redeemed bonds, &c.  
How redemption of debt is to be hereafter provided for.

“ **665.** The borrowing powers, heretofore granted to the city, shall cease upon the coming into force of this act, and all provisions of 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. Certain borrowing powers to cease and certain acts repealed.  
Proviso.

“ **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 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 moneys on hand insufficient to pay interest due, city-clerk to certify to council rate necessary to cover.

“ **667.** Such certificate shall have the like effect as a by-law of the council lawfully imposing the rate therein mentioned, and shall be obeyed and acted upon by all officers of the corporation and by all others; and the said rate shall be forthwith levied and collected accordingly, in addition to any other rates lawfully imposed by any by-law of the council. Effect of certificate.

All the provisions of this act, respecting the privileges, prescriptions, procedure and remedies applicable to ordinary assessments, shall equally apply to the rate herein provided for. Laws applicable to such rate.

“ **668.** On the issuing of a writ of execution commanding the sheriff to levy any sum of money due by the Council may order sheriff to levy by rate

any sum due under execution for interest or principal of debentures.

corporation for the interest or principal of any loan heretofore made by the city, or for the interest on any debenture stock issued under the provisions of this or any previous act, the plaintiff may require, and the court may order, that such execution be levied by rate; and, if such order be made, the sheriff shall cause a copy of such writ to be served upon the city clerk.

Sheriff to calculate rate necessary to cover amount of execution.

If the money therein mentioned with all the lawful interest and costs, which the sheriff is commanded to levy, be not paid within one month, from the time of such service, the sheriff shall himself calculate, as nearly as may be, 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 net amount equal to the sum, interest and costs he is commanded to levy.

Amount to be certified by sheriff and city clerk. Effects thereof.

He shall certify such rate under his hand to the city clerk for the information of the council, in the manner and form, *mutatis mutandis*, prescribed for the certificate of the clerk in the next preceding articles; and thereupon such certificate shall have the same effect, in all respects, as the certificate of the clerk hereinbefore provided for.

Laws to apply to such rate.

All the provisions of this act, respecting the levy and collection of a rate under the certificate of the clerk, shall apply to the levy and collection of a rate under the certificate of the sheriff.

Duty of municipal officers to communicate rolls, &c., to sheriff, &c.

“**669.** It shall be the duty of the clerk, assessors, and other officers of the corporation, to produce to the sheriff, on his demand, all assessment-rolls, papers and documents requisite for enabling him to fix the rate hereinbefore mentioned, and to give him any information or assistance which he may require for the purposes thereof, and such officers shall, for all the purposes of this and the preceding articles, be deemed officers of the court and amenable to and punishable by such court accordingly, in case of any failure to perform any of the duties hereby assigned to them respectively.

Penalty.

Payment over to sheriff of amount received for such interest.

“**670.** The proceeds of the said rate shall, by the treasurer, be paid over to the sheriff, who shall apply the same to the satisfaction of the debt, interest and costs he was commanded to levy, and, if there be a surplus, it shall be paid back to the clerk and applied to the general purposes of the city.”

Acquisition of certain property ratified.

**10.** The acquisition by the city, from the late Honorable Senator Charles Séraphin Rodier, for the price of seventeen thousand five hundred dollars, of the property situated on St.

James street, being lots Nos. 21, 22, 24, 25, 26, 27 and 28 of the official subdivision of lot No. 29 in the city of St. Henri, in accordance with article 524 of the charter, is confirmed and ratified to all intents and purposes, without prejudice however to pending cases, if any there be.

**11.** The following form is added after Form K of the Form added. charter :

FORM L.

“ CERTIFICATE OF THE CITY CLERK OF ASSESSABLE RATE.

“ I hereby certify, for the information of the council of the city of St. Henri, that a rate of \_\_\_\_\_ on the assessed value of the immoveable property liable to assessment in the said city, is in my opinion (after making a fair allowance for losses and deficits in the collection of such rate,) required to produce a net amount equal to that now due for interest, (principal, *if any due*) on the city of St. Henri consolidated fund or any of the loans which the city is authorized to make.

A. B.,

City Clerk.

CITY HALL,  
St. Henri,

18 .”

**12.** This act shall come into force on the day of its sanc- Coming into force.  
tion.

C A P. L V I

An Act to amend the charter of the city of Hull

[Assented to 15th January, 1898]

**W**HEREAS the city of Hull has, by its petition, prayed Preamble.  
for an act to amend 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 :

**1.** The following clause is added at the end of section 1 56 V., c. 52,  
s. 1. amended.  
of the act 56 Victoria, chapter 52 :

“ The words : “ immoveable property ” designate a lot of Interpreta-  
tion of : “ im-  
moveable pro-  
perty.”  
land situated within the limits of the city, or a building or  
buildings thereon.”

**2.** Paragraph 4 of section 17 of the act 56 Victoria, chap- Id., s. 17, § 4,  
replaced.  
ter 52, is replaced by the following :