

the Superior Court, clerks of the Circuit Court, and their deputies, to judicially close inventories, and whereas it is expedient to remove such doubts;

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

Validation of the closing of inventories by prothonotaries, &c.

Authorization given to close.

Pending cases.

Coming into force.

1. Inventories judicially closed by prothonotaries of the Superior Court, clerks of the Circuit Court, or their deputies, since the coming into force of the Revised Statutes, are declared to have been validly closed, and power is conferred on the said officers, for the future, to judicially close inventories, in cases in which such formality is required, as if the said section 23 of chapter 78 of the Consolidated Statutes for Lower Canada was still in force.

2. This act shall not affect pending cases in so far as costs are concerned.

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

C A P . X L V I I .

An Act to amend the acts respecting the corporation of the city of Quebec.

[Assented to 21st December, 1895.]

Preamble.

WHEREAS it has been represented by petition that it is expedient to amend certain provisions of the various acts respecting the incorporation of the city of Quebec ;

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

MISCELLANEOUS PROVISIONS.

56 V., c. 50, s. 2, §§, replaced.

Boundaries of Jacques-Cartier ward.

1. The eighth paragraph of section 2 of the act 56 Victoria, chapter 50, is replaced by the following :

“ Jacques-Cartier ward is bounded to the north by St. Roch's ward, to the west by a line drawn in the centre of the Boulevard Langelier, to the south by St. John's ward, and to the east by St. Peter's ward.”

29 V., c. 57, s. 17, §§, replaced.

Treasurer to keep accounts.

Who may inspect them.

Annual abstract to be made and published.

2. Subsection 8 of section 17 of the act 29 Victoria, chapter 57, is replaced by the following :

“ 8. The city treasurer shall keep true and correct accounts of all sums of money by him received or paid, indicating the several purposes for which such sums of money shall have been received or paid : the mayor and members of the council shall have the right of examining such accounts at all reasonable times.

At the beginning of each fiscal year, the treasurer shall make out in writing a full abstract of all accounts, both of receipts and expenses, for and during the preceding fiscal year, and cause the same to be printed in the official news-

papers of the city council, after having delivered a certified copy to the city council. A copy thereof shall be open to the inspection of all the rate-payers of the said city, at the city treasurer's office, at all reasonable hours, free of charge, and they shall be entitled to a copy thereof on payment of a reasonable price therefor."

3. Subsection 7 of section 26 of the act 29 Victoria, chapter 57, is replaced by the following:

"7. Immediately after the close of the fiscal year, the city auditor shall examine the treasurer's accounts for the previous year with all vouchers and papers connected therewith, and certify them correct, if they shall be so, and return them to the treasurer."

4. Section 24 of the act 50 Victoria, chapter 57, as replaced by the act 51-52 Victoria, chapter 78, section 74, is again replaced by the following:

"**24.** In the month following the expiration of any fiscal year, the proprietor, whose property has been vacant for the whole year, or for a period of at least three consecutive months in such year, may obtain a refund, if he has paid, and if he has not, the reduction of the water-rates on such property proportionate to the time it has been so unoccupied ;

But this refund or reduction shall not include the part of such water-rate corresponding to the three cents in the dollar exacted on all properties.

The application for the above refund or reduction shall be made by summary petition to the Recorder's Court, after one clear day's notice to the city treasurer.

The words "vacant property" in this section mean property which is not occupied by any one and for which the proprietor has no tenant, without prejudice to acquired rights."

5. The council of the city may, by resolution, exempt from municipal taxes, for a period of time not exceeding three years, the proprietor of the hotel commonly known as the "Hotel Victoria," situate on Palace and Charlevoix streets. Such exemption shall not apply to the water-rates nor to the school taxes of the city.

6. Subsections 9, 16 and 17 of section 29 of the act 29 Victoria, chapter 57, and section 14 of the act 29-30 Victoria, chapter 57, are repealed.

7. The second paragraph of subsection 42 of section 29 of the act 29 Victoria, chapter 57, as replaced by section 8

29 V., c. 57, s. 26, §7, replaced.

Audit of treasurer's accounts.

50 V., c. 57, s. 24, and 51-52 V., c. 78, s. 74, replaced.

Refund, &c., of water-rates.

What not to comprise.

How applied for.

"Vacant property" defined.

Exemption of Hotel Victoria from taxes.

Not to cover certain rates and taxes.

29 V., c. 57, s. 29, §§9, 16 and 17. and 29-30 V., c. 57, s. 14, repealed.

29 V., c. 57, s. 29, § 42, amended.

of the act 50 Victoria, chapter 57, is again replaced by the following :

Exception as to farmers.

Proof required in suits.

Witnesses who are competent.

"But farmers may sell on the said markets, by complying with the by-laws of the city, all kinds of meat, either whole or by the quarter, being the yield of animals raised on their lands or farms, or owned by them for two months, or the produce of their hunting; and, in all suits brought for violation of the provisions of this subsection, the corporation shall not be required to prove that the defendant has sold, offered or exposed for sale, meat not being that of animals raised on his land or farm or the produce of his hunting. In such suits the defendant and his wife shall be competent witnesses, and, if the action is dismissed, the city shall pay the expenses for the witnesses and the costs of summoning them."

29 V., c. 57, s. 29, §80, replaced.
Sale of revenues of cattle-stands, &c., by auction.

8. Subsection 80 of section 29 of the act 29 Victoria, chapter 57, is replaced by the following :

"80. The city council may, by resolution, order the sale by auction of the revenues of all or any of the cattle-stands and weigh-houses, and determine the manner and conditions of such sale and adjudication."

29-30 V., c. 57, s. 37, repealed.

9. Section 37 of the act 29-30 Victoria, chapter 57, is repealed.

Interpretation of 29 V., c. 57, s. 35, §1.

10. Subsection 1 of section 35 of the act 29 Victoria, chapter 57, shall not be interpreted as removing from the council the right of deciding upon and ordering, by mere resolution, the construction of public buildings, the value whereof shall not exceed two thousand dollars, but the construction of public buildings made up to the present time in virtue of resolutions is declared legal.

29 V., c. 57, s. 35, §29, and 29-30 V., c. 57, s. 39, repealed.

11. Subsection 29 of section 35 of the act 29 Victoria, chapter 57, and section 39 of the act 29-30 Victoria, chapter 57, are repealed.

WATER-WORKS.

Powers under 29 V., c. 57, s. 36, extended.

12. The powers conferred upon the city by section 36 of the act 29 Victoria, chapter 57, may, in future, be exercised within a radius of fifty miles from the city.

29 V., c. 57, s. 36, §29, and 57 V., c. 58, s. 28, amended.

13. The clause added to subsection 29 of section 36 of the act 29 Victoria, chapter 57, by section 28 of the act 57 Victoria, chapter 58, is amended by replacing the word : "forty," in the eighth line, by the word : "sixty," and the word : "fifteen," in the sixteenth line, by the word : "twenty-five."

14. Judicial or other sales of lots, the official cadastre numbers of which cover lands belonging to the city for the purposes of its water-works, or used for the purposes thereof, shall not affect the rights of the city in or to such lots.

Sales of lots by official numbers covering corporation lands not to affect the latter.

VOTING ON BY-LAWS.

15. Whenever the law orders that a by-law of the council shall be submitted to the approval of the rate-payers who are owners of real estate in the city, the vote of such rate-payers shall be given in accordance with the list then in force of electors qualified to vote at the election of aldermen whose seat is designated by the number one.

Who vote on by-laws submitted to approval of rate-payers.

16. At least fifteen days before the day fixed for such voting, the city clerk shall give notice thereof in the official newspapers of the council; and for such voting there shall be a poll in every ward. Such polls shall be established by the mayor; and the clerk shall publish the list and description thereof in the said newspapers at least two clear days before the voting.

Notice to be given.

Polls in each ward.

Establishment of and notice thereof.

17. The city clerk shall make out poll-books for each poll according to schedule Q, annexed to this act.

Poll-books.

18. All the provisions of the law governing voting for the election of members of the council shall apply to the said voting for the approval of a by-law as aforesaid.

What laws govern.

19. The ballot for each voter shall be a printed paper with an annex according to schedule R of this act.

Form of ballot-paper.

20. The voter shall mark the said ballot by making a cross with a pencil on the right side opposite the word "for," if he approves the by-law, or opposite the word "against," if he disapproves of the by-law.

How vote is to be given.

21. Immediately after the close of the poll, the officer presiding at the poll shall open the box and count the ballots in favor of, and the ballots against the by-law, and make out a statement thereof, indicating the number of ballots of each kind admitted.

Opening of box and counting of votes.

22. On the day following the voting day, or on the first juridical day following, if the following day be not a juridical day, at the hour of eleven in the forenoon, at the clerk's office, the latter shall open the ballot-boxes, and the mayor shall ascertain the number of votes for and the number of votes against the by-law, from the statements or returns made by the officers presiding at the polls; and, if such by-

Mayor to open boxes and ascertain from lists the total number of votes given, &c.

Declaration, if law be approved by the majority of the said votes, the by-law approved. mayor shall sign a declaration to that effect, and such by-law shall afterwards be published in the usual manner.

LOANS.

Power given to borrow certain sum for : **23.** The city is authorized to borrow a sum not exceeding eighty-five thousand dollars, to wit :

Public square; 1. Thirty thousand dollars for the purpose of establishing a park or public square in the north-western part of the city or outside of the city limits ;

Extending Dalhousie street; 2. Twenty-five thousand dollars for the purpose of extending Dalhousie street for a width of from thirty to sixty-six feet from Finlay Market to Champlain market, in the city ;

Reimbursing law costs, &c. 3. Thirty thousand dollars for reimbursing various law costs and other expenses in connection with the falling of a portion of the rock under the Citadel into Champlain street in September 1889, the expense of the work entailed by such landslide and the sums paid in consequence thereof without special appropriations for these objects ; for widening and improving certain streets of the city ; for the cost of work to be done and rights to be obtained for improving and increasing the water supply by the water-works of the city, and to reimburse certain law costs already incurred and damages claimed and paid in reference to the said water-works.

Issue of debentures for loan. **24.** For the purpose of effecting such loan, the city is authorized to issue bonds or debentures as it may deem expedient for the objects above mentioned, which bonds or debentures shall be for such amounts as may be agreed upon between the city and the lenders or holders of such debentures, and shall be redeemable in this Province or elsewhere, in current money of Canada or of other countries, at the dates agreed upon between the parties, with interest at such rate and payable in such manner as may likewise be agreed upon between the parties.

Registration of bonds. **25.** These bonds shall be registered in the same manner as those which the city has already been authorized to issue.

Not to be confined to one issue. **26.** The authorization to issue the said bonds shall not be interpreted as having lapsed after a first issue ; but such power may be exercised from time to time until the bonds constituting the said loan shall have been withdrawn or paid and duly cancelled.

29 V., c. 57, s. 6, §§2 and 3 and schedule **27.** Subsections 2 and 3 of section 6 of the act 29 Victoria, chapter 57, as replaced by the act 29-30 Victoria,

chapter 57, section 1, and schedule A of the said act 29 Victoria, chapter 57, are replaced by the following provisions and the schedule therein mentioned :

"2. No person shall act as mayor or alderman before having deposited with the clerk of the city the certificate of the recorder or of the clerk of the Recorder's Court of the city, establishing that such person has taken before him the oath of office, qualification and allegiance mentioned in schedule A of this act.

A, and 29-30 V., c. 57, s. 1 replaced.

Oath of office, qualification and allegiance of mayor and aldermen, &c.

"3. If the certificate mentioned in the preceding subsection is not deposited within two months after the date of his election, the seat of such mayor or alderman shall become vacant."

If certificate not deposited.

28. Subsection 8 of section 18 of the act 29 Victoria, chapter 57, with schedule D, and section 5 of the act 29-30 Victoria, chapter 57, are replaced by the following provision and the schedule therein mentioned :

29 V., c. 57, s. 18, §8, and schedule D, and 29-30 V., c. 57, s. 5, replaced.

"8. The assessors cannot act as such before having taken, before the mayor or before another member of the assessment board, the oath of office, qualification and allegiance mentioned in schedule V of this act, which oath must be deposited with the clerk of the said city."

Oath of office, qualification and allegiance of assessors.

29. The following section is added after section 8 of the act 45 Victoria, chapter 100 as replaced by the act 55-56 Victoria, chapter 50, section 15 :

Sec. added after 45 V., c. 100, s. 8.

"9. Instead of bonds, the council may, in its discretion, issue consolidated registered stock, and may adopt measures for issuing the same and provide for the payment and maintenance thereof for a term not exceeding sixty-five years ; and the powers conferred upon the said council by section 15 of the act 55-56 Victoria, chapter 50, to negotiate bonds of the city, shall apply equally to the said consolidated registered stock.

Bonds to order.

30. Without prejudice to the act 54 Victoria, chapter 12, section 1, which replaces or amends articles 692, 5918 and 5931 of the Revised Statutes, the salaries and emoluments of officers and employees of the corporation of the city are liable to seizure for one-fifth only.

Salaries, &c., of officers liable to seizure for one-fifth only.

31. This act shall be deemed to form part of the acts it amends.

Act to form part of the acts amended.

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

Coming into force.

SCHEDULE R.

BALLOT-PAPER FOR APPROVAL OF A BY-LAW.

FOR	X
AGAINST	

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ANNEX.

1895.

City of Quebec.

Cap. 47.

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SCHEDULE A.

OATH OF MAYOR AND ALDERMEN.

I, A.B., having been elected mayor (or alderman, *as the case may be*) of the city of Quebec, swear that I will fulfill the duties of the said office faithfully and to the best of my judgment and capacity ; that I own, in the said city, for my own use, immoveable property of the value of at least two thousand dollars over and above my just debts, and that I have not obtained the said property by fraud or collusion ; that I shall be faithful and bear true allegiance to the lawful sovereign of the United Kingdom of Great Britain and Ireland, and that I shall defend him to the best of my power from all conspiracies or attempts that may be made against his person, crown and dignity,—the whole without any equivocation or mental reservation whatsoever. So help me God.

SCHEDULE V.

OATH OF ASSESSORS.

I, A. B., having been appointed assessor for the city of Quebec, swear that I will fulfill the duties of the said office faithfully and to the best of my judgment and capacity ; that I own, in the said city, for my own use, property of the value of at least one thousand dollars over and above my just debts, and that I have not obtained the said property by fraud or collusion ; that I shall be faithful and bear true allegiance to the lawful sovereign of the United Kingdom of Great Britain and Ireland ; and that I shall defend him to the best of my power from all conspiracies or attempts that may be made against his person, crown and dignity,—the whole without any equivocation or mental reservation whatsoever. So help me God.

CAP. XLVIII.

An Act to amend the law respecting the Recorder's Court of the city of Quebec.

[Assented to 21st December, 1895.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

24 V., c. 26, s.
3, amended.

1. Section 3 of the act 24 Victoria, chapter 26, is amended by adding thereto the following paragraph :