

CAP. XLIX.

An Act to amend the acts respecting the corporation of the city of Quebec and the Recorder's Court of the said city.

[Assented to 12th January, 1895.]

Preamble:

WHEREAS the corporation of the city of Quebec has, by petition, represented that it is expedient to amend certain provisions of the various acts respecting the incorporation of the city of Quebec and the Recorder's Court of the said city ;

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

Section added after 56 V., c. 50, s. 3.

1. The following section is added after section 3 of the act 56 Victoria, chapter 50 :

Composition of council after Febr'y 1896.

"**3a.** From and after the entry into office of the members of the city council, who shall be elected at the general elections to be held in the month of February of the year one thousand eight hundred and ninety-six, the city council shall consist of the mayor and thirty aldermen, three for each ward, who shall remain in office for two years or until the election of their successors in office."

53 V., c. 68, s. 31, §2, replaced.

2. Paragraph 2 of section 31 of the act 53 Victoria, chapter 68, is replaced by the following :

Qualification of electors.

"**2.** To be entitled to vote at an election of alderman a person must be at least twenty-one years of age, be a subject of Her Majesty, and be inscribed on the list of electors for the ward in which he wishes to vote."

List of seats of aldermen to be kept and designation of each.

3. The city clerk shall keep a list of the seats of the aldermen for each ward ; one of such seats shall be designated by the number one, another by the number two and another by the number three.

57 V., c. 58, s. 1, and 33 V., c. 46, ss. 3 and 4, replaced.

4. Section 1 of the act 57 Victoria, chapter 58, and subsections 3 and 4 of section 2 of the act 33 Victoria, chapter 46, are replaced by the following provision :

Qualification of proprietors as electors.

"Every proprietor or co-proprietor of an immoveable or part of an immoveable in the city of Quebec of the assessed annual value of twenty-five dollars or over is entitled to vote at the election of aldermen."

53 V., c. 68, s. 31, §3, replaced.

5. Paragraph 3 of section 31 of the act 53 Victoria, chapter 68, is replaced by the following :

Qualification of tenants as electors.

"**3.** Every tenant or occupant of an immoveable or part of an immoveable in the city of Quebec, for which he pays

an annual rent of at least fifty dollars, is entitled to vote at the election of the aldermen whose seats are designated by the numbers two and three, if he has, before six o'clock in the afternoon of the fifteenth of December previous, paid to the city treasurer all the taxes for which he is personally responsible to the said corporation."

6. Section 3 of the act 57 Victoria, chapter 58, is replaced by the following : 57 V., c. 58, s. 3, replaced.

"**3.** Between the fifteenth and the thirtieth day of December of each year, the assessors shall prepare for each ward, according to the assessment books for the current fiscal year, two alphabetical lists, to wit : When lists of electors to be prepared, by whom, and what to contain.

A list containing the names of all those who, according to the said books, appear to have the right to vote in such ward for the aldermen whose seats are designated by the numbers two and three, and,

Another list containing the names of all those who, according to the said books, appear to have the right to vote for the alderman whose seat is designated by the number one."

7. Section 12 of the act 51-52 Victoria, chapter 78, is replaced by the following : 51-52 V., c. 78, s. 12, replaced.

"**12.** On the second Monday of February of every second year, commencing in 1896, or on the first day following, if such second Monday be a non-judicial day, the nomination of candidates for the office of alderman shall take place at the office of the city clerk, in the city hall, between the hours of noon and four in the afternoon." Nomination of candidates for office of alderman, when and where to be held.

8. Section 13 of the act 51-52 Victoria, chapter 78, is replaced by the following : Id., s. 13, replaced.

"**13.** The nomination of the candidates shall be by means of a written requisition, signed by six or more qualified electors and deposited in the office of the clerk on the second Monday in February. How nomination is to be made.

Such requisition shall specify, by the number of the seat for which particular seat the candidate is nominated. Form of requisition.

If only one candidate be nominated for one seat he shall *de facto* be elected, and it shall be the duty of the city clerk to at once proclaim him elected, by a notice inserted in a French and in an English newspaper published in the city." Duty of clerk, if only one is nominated.

9. The first paragraph of section 17 of the act 51-52 Victoria, chapter 78, is replaced by the following : Id., s. 17, §1, replaced.

"**17.** In every ward there shall be a poll house, for every two hundred electors qualified to vote for alder- Poll houses.

men; a person who is qualified to vote for the aldermen for the three seats at one time shall however only count as one elector."

Id., s. 18, replaced.

10. Section 18 of the act 51-52 Victoria, chapter 78, is replaced by the following :

Poll books.

"**18.** The city clerk shall prepare poll books for each poll, in accordance with form L annexed to the charter of the city; there shall be one of such poll-books for the polling for the election of the alderman whose seat is designated by the number one, and another for the polling for the election of the aldermen whose seats are designated by the numbers two and three."

Id., s. 19, replaced.

11. Section 19 of the act 51-52 Victoria, chapter 78, is replaced by the following :

Partial lists of electors for different poll houses.

"**19.** The city clerk shall prepare partial lists of the electors who are to vote at each poll, comprising the list of electors qualified to vote only for the aldermen whose seats are designated by the number one, and, separately, the list of electors qualified to vote for the aldermen whose seats are designated by the numbers two and three; and an elector shall vote only at the poll in each ward in which his name is entered on the partial list used for voting at such poll.

How made.

Such lists shall be so made as to divide the electors amongst the polls of a ward, according to the initial letter of their family names, commencing with the letter A for poll number one, and so on for the others."

Id., s. 24, replaced.

12. Section 24 of the act 51-52 Victoria, chapter 78, is replaced by the following :

Lists and ballots to be delivered to officers at polls.

"**24.** The city clerk shall also deliver to each officer presiding at a poll the lists of electors to be used at such poll, and shall also deliver him, as occasion may require in each case respectively, and for each ward, three hundred ballot papers for the election of the aldermen whose seats are designated by the number one, and three hundred for the election of the aldermen whose seats are designated by the numbers two and three, together with a lead pencil for marking the ballot papers."

Id., s. 25, replaced.

13. Section 25 of the act 51-52 Victoria, chapter 78, is repealed, as well as the forms connected therewith, and the following section is substituted therefor :

Form of ballot paper.

"**25.** The ballot paper for each elector shall be a printed paper with an annex, made according to form M annexed to this act, for the elections of the aldermen whose seats are designated by the number one, and according to form N for the elections of the aldermen whose seats are designated

by the numbers two and three, each ballot paper showing the names of the candidates and their occupation."

14. Any candidate, who has been nominated, may withdraw at any time before the close of the poll, by depositing, at the office of the city clerk, a written declaration to that effect, signed by himself, in the presence of two witnesses, who shall also sign the same; and, in such case, the clerk shall give public notice of such withdrawal, and the election shall then be proceeded with as if such candidate had not been nominated. Withdrawal of candidates.
Duty of clerk in such case.

15. Section 29 of the act 51-52 Victoria, chapter 79, is replaced by the following: Id., s. 29, replaced.

"**29.** Each elector, being admitted, one at a time, into the poll, shall state his name and occupation, which shall be entered by the poll clerk in the poll-book for the election of the alderman whose seat is designated by the number one, and in the poll book for the election of the aldermen whose seats are designated by the numbers two and three, as the case may be, and according as he is qualified to vote for one or the other." How electors shall vote.

16. Section 30 of the act 51-52 Victoria, chapter 78, is replaced by the following: Id., s. 30, replaced.

"**30.** If such name be entered on the list of electors for the voting subdivision at such poll, the voter shall be given a ballot paper, on the back whereof the presiding officer shall have previously set his initials, and upon the annex a number corresponding to that opposite the name of the voter on the poll-book, the ballot papers being given and returned in succession, first for voting for the alderman whose seat is designated by the number one and afterwards for the aldermen whose seats are designated by the numbers two and three." Delivery of ballot paper to elector, &c.

17. The following section is added after section 36 of the act 53 Victoria, chapter 68: Sec. added after 53 V., c. 68, s. 36.

"**36a.** The petition for a recount of the ballots shall be accompanied by a certificate of the prothonotary of the Superior Court, establishing that the petitioner has deposited in the court a sum of fifty dollars, as security for the costs to be incurred, in connection with the new recount, by the candidate who appears, by the addition, to have been elected." Certificate that deposit for costs has been made to accompany petition for recount.

18. No petition for the contestation of the election of a member of the city council shall be received unless the petitioner has previously deposited, in the hands of the prothonotary of the Superior Court, a sum of two hundred Deposit for costs required before petition contesting an election can be received.

dollars, as security for payment of the costs of such contestation, which may be adjudged in favour of the candidate whose election is contested.

Paragraph added after 29 V., c. 57, s. 20, §4.

19. The following subsection is added after subsection 4 of section 20 of the act 29 Victoria, chapter 57, as amended by section 9 of the act 29-30 Victoria, chapter 57 :

Payment of taxes for building completed after assessment books closed.

“4a. When a building, which has not been commenced or completed when the assessment books are completed in the course of the fiscal year, and when the entry in the assessment book of such addition to the immoveable shall have been permitted by the Recorder's Court, the owner of such addition or new building shall be bound to pay to the city the amount of the taxes, assessments and water rate which shall have been entered in the said assessment book proportionately to the remaining period of the fiscal year.”

Section added after 50 V., c. 57, s. 5.

20. The following section is added after section five of the act 50 Victoria, chapter 57 :

Price of peddler's license.

“5a. Nevertheless, the city council may, by by-law to that effect, exact, for a peddler's licence, a sum not exceeding one hundred dollars, if such peddler resides in the city, and not exceeding one hundred and twenty-five dollars if he does not reside in the city.”

Power to borrow for certain purposes.

21. The city of Quebec is authorized to borrow a sum, not exceeding thirty thousand dollars, for the following purposes :

1. To complete the extension, widening and paving of St. Paul street, and to provide for the cost of purchasing lots remaining to be purchased for such improvement : nineteen thousand dollars ;
2. To complete the building of the fire station in St. Peter's ward : seven thousand dollars ;
3. To finish Caron street : four thousand dollars.

Issue of bonds.

22. In order to effect such loan or a portion thereof, the city is authorized to issue bonds or debentures, as it may deem necessary, for the objects above mentioned, for such amounts, redeemable in this Province or elsewhere, in Canadian or other currency, at such date, at such rate of interest not exceeding five per cent, and in such manner as may be agreed upon between the city and the lenders or bondholders.

How to be made and registered.

Such debentures shall be made and registered in the same manner as those which have been heretofore authorized to be issued.

Bonus to M. Frankenburg authorized.

23. If the council of the said city deem expedient, it may, by resolution, grant to one Max Frankenburg, of

Manchester, England, trading under the name of "The Globe Rubber Company," an annual bonus of two thousand five hundred dollars, for five years, in accordance with the conditions contained in the resolution of the said city council, dated the 17th of August, 1894, and may issue debentures to pay such grant at a rate not exceeding five per cent.

24. Subsection 34 of section 36 of the act 29 Victoria, chapter 57, is repealed. 29 V., c. 57, s. 36, §34, repealed.

25. Section 2 of the act 24 Victoria, chapter 26, as amended by the act 41-42 Victoria, chapter 14, section 2, is replaced by the following : 24 V., c. 26, s. 2, replaced.

"**2.** The said court shall be held by the recorder, or, in the event of his absence or inability to act, for any cause whatsoever, or when there is no recorder, by the mayor of the city, or by the mayor with a member of the council, or by two members of the council, or by a single member of the council, provided that, in the latter case, such member of the council be an advocate." Who shall hold the court.

26. The following section is added after section 18 of the act 24 Victoria, chapter 26 : Section added after 24 V., c. 26, s. 18.

"**18a.** In the event of the clerk of the Recorder's Court and his deputy being absent or unable to act, the mayor may appoint another deputy clerk to replace them temporarily." Absence of clerk or deputy provided for.

27. Subsection 1 of section 51 of the act 29-30 Victoria, chapter 57, is replaced by the following : 29-30 V., c. 57, s. 51, §1, replaced.

"**1.** Every writ of execution issued by the Recorder's Court against the goods and chattels of a defendant, may be executed in any district of this Province, and shall be addressed to the sheriff or to a bailiff of the district in which the defendant or his property may be." Execution of writs de bonis.

28. Section 23 of the act 24 Victoria, chapter 26, is repealed. 24 V., c. 26, s. 23, repealed.

29. All provisions of law repealed by the present act shall continue to apply and have their effect until the coming into force of the new provisions above set forth, respecting the name and election of the members of the council. Repealed provisions to remain until this act takes effect.

30. This act shall be considered as forming part of the various acts respecting the incorporation of the city of Quebec. Act to form part of charter.

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

M

BALLOT-PAPER FOR ELECTIONS OF ALDERMEN FOR SEAT NUMBER 1.

| | | | |
|-------------------------|----------|--|----------|
| Election for ward | 1 | ADAM (Pierre, merchant) | |
| | 2 | BEAUDOIN (Alexandre, shoemaker) | X |
| | 3 | MONGEON (Jacques, notary) | |

.....

ANNEX

N

BALLOT-PAPER FOR ELECTIONS OF ALDERMEN FOR SEATS
NUMBERS 2 AND 3.

| | | | |
|-------------------------|---|------------------------------------|---|
| Election for..... ward. | 1 | AUGER (Jean, merchant) | X |
| | 2 | GARIEPY (Pierre, carpenter) | |
| | 3 | LANGLOIS (Arthur, notary) | |
| | 4 | MORISSET (Sévère, manufacturer) | X |
| | 5 | WRIGHT (Peter, advocate) | |
| | 6 | YOUNG (John, joiner) | |

.....

ANNEX.
