

CAP. LIX.

An Act to amend the various acts relating to the corporation of the city of Three Rivers.

[Assented to 8th January, 1894.]

WHEREAS the corporation of the city of Three Rivers Preamble.
has, by petition, prayed for certain amendments to the act 38 Victoria, chapter 76, and the various acts amending the same; and whereas 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 corporation of the city of Three Rivers is authorized to borrow a total amount, not exceeding five hundred and twenty-five thousand dollars, for the following purposes only : Corporation authorized to borrow certain sum for certain purposes.

1. Five hundred and twelve thousand dollars for redeeming its consolidated debt, consisting either in temporary debentures, due or not due, or for replacing the debentures, the issue whereof was authorized by previous acts ;

2. Three thousand dollars for redeeming and extinguishing the ground or constituted rents which it owes ;

3. Ten thousand dollars for paving, macadamizing or planking the whole or part of any of the streets of the city.

2. To effect such loans or portions thereof, the corporation of the city of Three Rivers may issue debentures, redeemable after a term of at least thirty years, and not more than sixty-five years from the date of their issue, and bearing interest at a rate not exceeding five per cent per annum, payable half yearly. Issue debentures therefor.

3. The debentures, the issue whereof is hereby authorized, may be issued by the corporation of the city of Three Rivers as it may deem necessary for the purposes aforesaid, and for such amounts, and redeemable in this Province or elsewhere, at such dates and in such manner as may be agreed upon with the holders of such debentures. How to be issued.

4. The obligations shall bear the seal of the corporation, be signed by the mayor and countersigned by the secretary-treasurer of the city of Three Rivers. Seal and signature.

5. The obligations shall be registered by the secretary-treasurer of the said city in a book kept by him for that purpose. To each of such debentures, interest coupons shall be attached, signed by the said secretary-treasurer. Registration. Coupons.

and payable to the holders of such debentures at the date when the interest represented by such coupons becomes due.

Payment on delivery of coupons.

No payment of any of such coupons can be exacted from the corporation unless the same be handed to it, and the possession by it of one of such coupons shall be *prima facie* evidence that it has paid the same.

Sinking fund.

For the purpose of establishing a sinking fund for the loan hereby authorized, the secretary-treasurer of the city of Three Rivers shall, each year, take out of the general funds of the corporation, an amount equal to the percentage agreed upon with the holders of the said debentures, but which shall not exceed one per cent of the whole amount borrowed in virtue of this act. This sinking fund, as well as the sinking fund for the present debt of the corporation, shall be invested in public securities of the Dominion or of this Province, or in debentures of the city of Three Rivers.

Investment thereof.

Proceeds not to be applied to other purposes.

6. It shall not be lawful for the corporation to employ any portion of the proceeds of the debentures issued in virtue of this act, for any other purpose than that indicated on such debentures as aforesaid, and none of such debentures can be validly pledged or given as collateral security by the corporation. Every member of the council of the city of Three Rivers, and every officer or employee of the corporation who, by his acts or votes, shall contribute, directly or indirectly, to the employment of the said debentures, or of the proceeds thereof, for any purpose other than that therein indicated, shall be liable to a fine not exceeding five hundred dollars, recoverable by an action for debt before any court having jurisdiction to that amount by whomsoever may wish to sue for the recovery thereof, and an imprisonment of not more than one year in the common gaol, in default of the payment of the fine; and, moreover, such members of the council, officers or employees, shall be personally and jointly and severally responsible towards the corporation, for all sums so diverted from their object.

Fine on persons permitting same.

Right to redeem to be exercised with consent of bondholders.

7. Nothing contained in this act shall be interpreted as giving the corporation of the city of Three Rivers the right to redeem, without the consent of its creditors, debentures which it has no right to redeem according to the laws now in force.

56 V., c. 51, s. 8, replaced.

8. Section 8 of the act 56 Victoria, chapter 51, is replaced by the following:

Section added after 38 V., c. 76, s. 59.

" 8. The following section is added after section 59 of the act 38 Victoria, chapter 76:

" 59a. An appeal may be taken to the Circuit Court, by Appeal to Circuit Court. any party interested, from a decision rendered by the said council on any complaint respecting the said valuation roll; When, however, any such interested party has to complain of the decision of the council for a difference of more than one thousand dollars in the valuation of an immoveable, such appeal may be taken to the Superior Court.

Such appeal shall be by petition served and filed within How taken. eight days after the decision of the said council.

If the evidence has not been taken in writing before the Proviso as to evidence. council, the parties may have the evidence taken before the Circuit Court or before the Superior Court, as the case may be.

In cases in which the decision of the council is amended, Amendment of roll in certain cases. the secretary-treasurer shall be obliged to correct the valuation roll, without delay, in accordance with the judgment of the court.

Such appeal shall not, however, prevent the coming into So much of roll not contested comes into force. force of the valuation roll as to the portion not contested."

9. The following subsection is added after the fourth 38 V., c. 76, s. 103, amended. subsection of section 103 of the act 38 Victoria, chapter 76, as amended by section 7 of the act 45 Victoria, chapter 101:

" 5. It shall be lawful for the said corporation to levy Issue of garnishee proceedings to recover taxes. the said assessments or debts by means of an attachment by garnishment effected by a writ under the signature of the mayor, ordering the garnishees not to dispossess themselves of the moveable effects or moneys which they have in their possession belonging to the debtors before it has been otherwise ordered by the court, and ordering them, as well as the debtors, to appear before the Circuit Court on the day appointed, and proceedings shall be had on such writ before such court according to the provisions of the Code of Civil Procedure."

10. The monthly contribution, payable by the children Monthly contribution for schools how payable. attending a school under the control of the school commissioners for the city of Three Rivers, shall belong to the said commissioners, and be payable in such manner and at such dates as the commissioners shall determine by a resolution to that effect.

11. The following section is added after section 93 of the Section added after 38 V., c. 76, s. 93. act 38 Victoria, chapter 76:

" 93a. The said council shall also have the exclusive Power to sell ferry licenses by auction. power to sell, by public auction, ferry licences between the said city and the south shore of the River St. Lawrence, and also between the said city and the parish of Ste. Marie

Madeleine, called Cap de la Madeleine, under such conditions, obligations or restrictions as it may establish by by-law to that effect."

Id., s. 6, § 4,
amended.

12. Subsection 4 of section 6 of the act 38 Victoria, chapter 76, as amended by section 16 of the act 45 Victoria, chapter 101, is replaced by the following :

Qualification
of mayor.

"4. No elector shall be capable of being elected mayor of the city of Three Rivers, unless he shall have resided and held his principal place of business within the said city for one year before such election, unless he be possessed as owner, in his own name, or in that of his wife, of real estate within the said city, of the value of two thousand dollars, over and above all hypothecary debts."

Id., s. 6, § 5,
amended.

13. Subsection 5 of section 6 of the act 38 Victoria, chapter 76, as amended by section 16 of the act 45 Victoria, chapter 101, is replaced by the following :

Qualification
of alderman.

"5. No elector shall be capable of being elected alderman of the city of Three Rivers, unless he shall have resided and held his principal place of business within the said city, for one year before such election, and unless he be possessed as owner, in his own name or in that of his wife, of real estate, within the said city, of the value of sixteen hundred dollars, over and above all hypothecary debts."

Paragraph
added to id.,
s. 81.

14. The following paragraphs are added to section 81 of the act 38 Victoria, chapter 76 :

Obstruction in
streets.

"6. To prevent obstructions of any nature whatsoever in the streets, and to compel every railway company to put up gates with keepers, at its own expense, on the roads and streets crossed by such railway in the city, and impose a fine of twenty dollars for each day that it refuses or neglects to do so, after being thereunto duly required ;

Gates at rail-
way crossings
of streets.

Obstruction in
streets by
railway cars,
&c.

"7. To prevent the obstruction of its streets by railway cars, locomotives and engines, and impose on every railway company or its employees, a fine not exceeding twenty dollars for each infringement of the by-laws in that respect."

Coming into
force.

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