

C A P. L I.

An Act to amend the various acts respecting the incorporation of the city of Three Rivers.

[Assented to 27th February, 1893.]

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. Section 7 of the act 38 Victoria, chapter 76, is replaced by the following :

“**7.** The municipal elections for the said city, in virtue of this act, shall be held on the second Monday of January of each year, or on the day following, if the said day be a holiday, and public notice thereof shall be given at least eight days previous to such election, in the French and English languages, in one or more newspapers published in the said city, and shall also be posted up in the most public and frequented places, designated by by-law, in each of the wards of the said city ; such notice shall be signed by the secretary-treasurer of the said council, or by the member of the said council who shall have been appointed to preside at the said elections, as hereinafter provided, and shall specify the day, place and hour upon which the said elections are to take place in each ward of the said city.”

When and after what notice municipal elections to be held.

2. Section 3 of the act 40 Victoria, chapter 51, is replaced by the following :

40 V., c. 51, s. 3, replaced.

“**3.** On the first Monday of January in every year or on the following day, if such Monday is not a juridical day, at least twenty-five municipal electors, duly qualified, shall deposit in the hands of the secretary-treasurer of the said city, in his office, before four of the clock in the afternoon, a nomination in writing, signed by them, of the person whom they intend to propose as a candidate at the said election for mayor, and at least fifteen municipal electors, duly qualified to vote in any ward of the said city, shall also, before four of the o'clock in the afternoon, deposit in the hands of the secretary-treasurer a nomination in writing, signed by them, of the person or persons whom they intend to propose to be candidates, respectively, at the said election, as alderman for the said ward ; and the said sec-
Proceedings at nomination.

retary-treasurer shall be obliged to give a receipt for each nomination paper, and shall notify the officer presiding over the election of the names and surnames of the persons who have thus been nominated ; and, if there has been only one candidate nominated for the office of mayor, the said officer presiding over the election shall proclaim him duly elected, on the second Monday of January at nine of the clock in the morning, at the door of the city hall, and, if several candidates for the mayoralty have been nominated, polling shall be opened, in each ward of the said city, as prescribed in the following section ; and, if in any ward of the said city only one candidate has been nominated as alderman for such ward, the deputy appointed for such ward by the officer presiding over the said elections, shall proclaim such person duly elected, on the second Monday of January, at nine of the clock in the morning, at the door of the poll-house of such ward."

Proclamation
of mayor
elected.

Granting of
poll.

Proclamation
of aldermen
elected.

40 V., c. 51,
s. 12, and 53
V., c. 69, s. 3,
replaced.

3. Section 12 of the act 40 Victoria, chapter 51, as replaced by section 3 of the act 53 Victoria, chapter 69, is again replaced by the following :

Polling when
and where to
be held.

"12. The polling shall take place in each of the said wards on the second Monday of January, and shall commence at nine of the clock in the morning, at the place fixed upon by the officer presiding over the said elections, as aforesaid, in a room or building of convenient access, with a door for the admittance of voters, and having, if possible, another door through which they may leave, after having voted."

40 V., c. 51,
s. 41, and 53
V., c. 69, s. 4,
replaced.

4. Section 41 of the act 40 Victoria, chapter 51, as replaced by section 4 of the act 53 Victoria, chapter 69, is again replaced by the following :

Counting of
votes.

"41. Immediately after the close of the poll, which shall be at five of the clock on the afternoon of the second Monday of January, the deputy presiding officer shall open the box containing the ballot papers, and, in the voting room, and in presence of the poll clerk and of the candidates or their agents, or, in the absence of any one of the candidates and his agents, in the presence of at least three electors, proceed to count the number of votes given for each candidate."

53 V., c. 69,
s. 1, § 2, re-
placed.

5. Paragraph 2 of section 1 of the act 53 Victoria, chapter 69, is replaced by the following :

Real estate
qualification.

"Is really a *bonâ fide* proprietor and usufructuary of real estate valued, on the valuation roll of the city, at two hundred dollars at least."

6. Section 12 of the act 38 Victoria, chapter 76, as re-
placed by section 1 of the act 49-50 Victoria, chapter 46,
and by the act 53 Victoria, chapter 69, section 1, is amended
by replacing subsection 3 thereof by the following:

"3. Is in possession, as tenant of immoveable property, has
had his domicile and paid in the city during the year imme-
diately preceding the election, for a house or part of a
house, a rent of at least thirty dollars per annum, accord-
ing to the said valuation or assessment roll and collection
book.

Qualification
of tenants.

In order to be entitled to vote at the election of mayor
or aldermen, such person must also have paid, at least thirty
days before the date fixed for the election, all municipal
and school taxes and assessments due and exigible."

Payment of
taxes before
certain time.

7. Inasmuch as, under section 1 of this act, the muni-
cipal elections shall be held in the month of January
instead of in July, as hitherto, the mayor and the four
aldermen, who are to go out of office in July next, 1893,
shall remain in office until the annual elections, in January
1894, at which date their mandate shall expire; the four
aldermen, who should go out of office in July 1894, shall
remain in office until the annual elections in January 1895,
at which date their mandate shall expire; and the four
aldermen, who should go out of office in the month of July
1895, shall remain in office until the annual election in
January 1896, at which date their mandate shall expire.

Retiring of
present mayor
and aldermen,
&c.

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

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

"**59a.** An appeal may be taken to the Superior Court,
by any party interested, from a decision rendered by the
said council on any complaint respecting the said valuation
roll.

Appeal to
Superior
Court from
decision of
Council.

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

Petition
therefor and
service.

If the evidence has not been taken in writing before the
council, the parties may have the evidence taken before the
Superior Court.

Evidence may
be taken
thereon.

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

Duty of secre-
tary-treasurer,
if judgment
orders change
on roll.

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

Coming into
force of roll
in part.

9. Paragraph 1 of section 101 of the act 38 Victoria,
chapter 76, is replaced by the following:

38 V., c. 76,
s. 101, § 1, re-
placed.

Real estate
liable for tax-
ation, exemp-
tions.

"1. On all lands, city lots, or parts of lots, excepting churches, bishops' palaces, parsonages, charitable and educational establishments, as also their dependencies, whether there are buildings erected thereon or not, as also all buildings and constructions thereon, the sum of one dollar for each hundred dollars of the total real value, as entered on the valuation roll of the said city."

38 V., c. 76,
s. 101, § 4,
and 49-50 V.,
c. 46, s. 2, re-
placed.
Tenants' tax.

10. Paragraph 4 of section 101 of the act 38 Victoria, chapter 76, as replaced by the act 49-50 Victoria, chapter 46, section 2, is again replaced by the following :

"4. On all tenants paying rent in the city, saving the exception specified in the first paragraph of this section, an annual sum of eight cents in the dollar on the amount of rent ; provided, always, that every occupant of an immoveable, of which he is neither proprietor nor tenant, shall be liable for the payment of the present tax, according to the value of the rent of such immoveable, as fixed by the assessors."

Power to
make by-
laws :
To prohibit
the sale of
liquors to cer-
tain persons ;
To prohibit or
permit sale
of liquors ;
To regulate
shop-keepers,
&c.

11. The said council shall have power to make by-laws :

1. To prohibit the sale of all spirituous, alcoholic, vinous or intoxicating liquors to women, children, apprentices or servants ;

2. To prohibit the sale of spirituous, vinous, alcoholic and intoxicating liquors, or allow the same under proper conditions and restrictions ;

3. To regulate shop-keepers, inn-keepers and other persons who retail liquors, as the council may deem expedient, in order to prevent drunkenness and disorder by day and by night.

Entry of new
name on roll
after change
of ownership
or occupant of
lot.

12. After every change of owner or occupant of a lot of land mentioned in the valuation roll in force, the council may, on written application to that effect and on sufficient proof, strike out the name of the former proprietor or occupant and insert the name of the new one.

38 V., c. 76,
s. 36, as
amended by
40 V., c. 51,
s. 71, re-
placed.
Calling of
special meet-
ings of Coun-
cil.

13. Section 36 of the act 38 Victoria, chapter 76, as amended by the act 40 Victoria, chapter 51, section 71, is replaced by the following :

"**36.** The mayor of the said city may, whenever he shall deem it necessary or useful, call special meetings of the said council, and whenever three members shall be desirous of obtaining such special meeting, they shall apply to the mayor to call such meeting, and, in the absence of the mayor, or on his refusal to act, they may call such meeting themselves, on stating, in writing, to the secretary-treasurer of the said council, their object for calling such

special meeting, and the day on which they are desirous that it shall be held : and the said secretary-treasurer shall, upon receipt of such written notification, be obliged to communicate the same to the other members of the council, mentioning the business for which such meeting is called, provided written notice of the day and hour of such meeting shall be given to each of the members of the said council, at least twenty-four hours before the said meeting.”

Notice to be given.

14. Section 61 of the act 38 Victoria, chapter 76, is replaced by the following :

38 V., c. 76, s. 61, replaced.

“**61.** From and after the passing of this act, every proprietor or agent, who shall wilfully grant a certificate or receipt, setting forth a less or greater sum than the rent really paid for the premises therein mentioned or referred to, and every tenant who shall present to the assessor of the said city such receipt or certificate, falsely representing the value of the rent paid by such tenant, or any person who shall give false information to the said assessors, in order to procure a diminution, or an increase of his assessment, shall be liable, on conviction thereof, before the mayor or justice of the peace, to a penalty not exceeding twenty dollars, or to imprisonment during one month, according to the judgment of such mayor or justice of the peace.”

Penalty for giving false certificate as to rental.

15. The following paragraph is added at the end of the fourth paragraph of section 70 of the act 38 Victoria, chapter 76 :

38 V., c. 76, s. 70, amended.

“ Such costs are privileged debts against the said property ; they may be recovered in the same manner as municipal taxes and shall, in all cases of distribution of moneys, be allowed to the city council in preference to all other creditors, any law to the contrary notwithstanding.”

Costs privileged and how recovered.

16. Section 130 of the act 38 Victoria, chapter 76, is replaced by the following :

38 V., c. 76, s. 130, replaced.

“**130.** All prosecutions for the contravention of any by-law of the said city council or of any provision of the various acts respecting the corporation of the city of Three Rivers, and for the recovery of any fine incurred by reason of any such contravention, may be brought and continued in the name of the corporation by any rate-payer, who shall have previously put the corporation in default to bring such prosecution or prosecutions, upon such rate-payer furnishing good and valid sureties for the costs of such prosecutions ; and every officer or member of the corporation shall be competent as a witness therein ; and any such fine or pecuniary penalty shall belong to the corporation.”

Who may prosecute for contravention of by-laws.

Further pre-
amble.

Council au-
thorized to
issue bonds
for certain
sum, &c.

Debentures
how issued,
&c.

Interest there-
on.

Coupons pay-
able to bearer.

Possession of
coupons by
city, evidence
of payment.
Security for
debentures.

17. Whereas it is necessary to increase the power of the water-works and to continue the construction thereof, the city council is hereby authorized to issue bonds or debentures, or otherwise contract upon the credit of the city of Three Rivers a debt not exceeding twenty-five thousand dollars.

The debentures, so issued, solely and specially for the object above mentioned, shall be under the signature of the mayor, the counter-signature of the secretary-treasurer and the seal of the said corporation, and shall bear interest, payable half yearly, on the first of January and July of each year, at a rate not exceeding five per cent per annum, and coupons may be attached to all such bonds or debentures for the amount of the half yearly interest thereon.

Such coupons, signed by the mayor and secretary treasurer, shall be respectively payable to bearer, when and as soon as the half yearly interest mentioned therein shall become due, and shall, upon payment thereof, be delivered to the corporation.

The possession of such coupons shall be *prima facie* evidence that the half yearly interest therein mentioned has been paid according to the tenor of such debenture or obligation.

All these bonds or debentures, and the interest with the capital, shall be secured by special hypothec privileged upon the said water-works.

38 V., c. 76,
s. 65, and 53
V., c. 69, s. 9,
amended.

18. Section 65 of the act 38 Victoria, chapter 76, as replaced by the act 53 Victoria, chapter 69, section 9, is amended, by replacing the seventh paragraph thereof by the following :

Approval of
by-law, by
property
holders.

“ In order to have full force and effect, the by-law must be approved by the votes of two-thirds in number and in value of the said property holders who have voted.”

CAP. LII.

An Act to revise and consolidate the charter of the city of Hull and the various acts amending the same.

[Assented to 27th February, 1893.]

Preamble.

WHEREAS the municipal council of the city of Hull has, by petition, prayed that the provisions of the various acts of the Legislature, respecting the corporation of the city of Hull, be revised and consolidated, and that further powers be conferred upon the said city, and has represented that such revision and consolidation would be of advantage to the public, and whereas it is expedient to grant the prayer of the petition of the council of the said city of Hull ;