

17. In the valuation which shall be made by the commissioners of the immoveables which the city shall acquire, no demand for interest and damages resulting from leases subsequent to this act shall be deemed valid and binding upon the city except as relates to the then current year, provided the proceedings in expropriation be commenced within the six months following the passing of this act.

No damages for leases made after passing of this act.

Proviso.

In the valuation of the damages, the reduction of the commercial value of the property consequent upon the expropriation shall be taken into account.

Reduction in value to be taken into account.

18. Every person, whose property or part of whose property is required for such improvement and who desires to build on the new line and have the necessary work of widening done with respect to his property, before the period fixed for effecting such widening, may do so at any time previous to the confirmation or homologation of the commissioners for the part of the street wherein such proprietor is interested or, after the confirmation or homologation of the said report, by accepting the amounts and conditions agreed upon and stipulated for his property or part of his property in such report.

Persons wishing to build on new line before completion of proceedings may do so on certain conditions.

19. The city council may, as regards the portion of St. Lawrence street above mentioned, determine and regulate the manner of conveying water from the roofs to the ground and likewise prohibit the use of any wooden building or portion of a building at present existing along the line of such portion of the street.

Power to regulate manner of conveying water from roofs. Prohibiting use of wooden buildings.

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

Coming into force.

C A P . L X X X .

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

[Assented to 12th July, 1888.]

WHEREAS the corporation of the city of Three Rivers has, by petition, prayed for certain amendments to the act 38 Victoria, chapter 76, and the divers acts amending the same, and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

38 V., c. 76, s. 69, replaced.

1. Section 69 of the act 38 Victoria, chapter 76, is replaced by the following :

Expropriation.

Appointment of arbitrators.

Award.

Deposit of price.

If indemnity not applied for, to be deposited with secretary-treasurer at interest of four per cent.

Capital and interest to be paid within three months after notification.

In event of refusal by corporation to take land, damages to proprietor.

“ 69. When the proprietor of a lot, which the council shall be desirous of purchasing, for any object of public utility whatsoever, shall refuse to sell the same by private agreement, or in case the owner of such lot shall be absent from the Province, or if such lot of land shall belong to minors, issue unborn, lunatics, idiots or married women, the council may apply to a judge of the Superior Court sitting in such district for the appointment of an arbitrator, to make, conjointly with the arbitrator appointed by the council, a valuation of such lot, and, in the event of contrary opinion or disagreement, the judge which shall have appointed one of such arbitrators, as aforesaid, shall appoint a third ; and the said arbitrators shall report to the council, at a regular meeting thereof ; and when they shall have so reported the council may acquire such lot, on depositing the price at which it shall have been valued by the said arbitrators, in the hands of the prothonotary of the Superior Court for the district of Three Rivers, for the use of the persons entitled thereto.

If no person entitled to such indemnity shall appear, within six months after such amount has been deposited in the hands of such prothonotary, to claim the sum so deposited, it shall then be lawful for the prothonotary, and he is hereby required, to remit such sum to the secretary-treasurer of the council, to be by him deposited with the moneys of the city, and such sum shall bear interest at the rate of four per centum ; and both the capital and the interest accruing thereon shall be payable by the said council to any person entitled to receive the same, within three months after a formal notification shall have been given to the mayor or the secretary-treasurer of the city, to pay the same ; provided always, that when the council shall refuse to take, and pay for all such land, which has been so valued by arbitrators, as aforesaid, notice shall be given to the proprietor, or possessor, or to the agent of the proprietor of such land, within the fifteen days next after the receipt by the council of the report of the arbitrators, and, in such case, payment shall be made to the proprietor or possessor of such land, for all damages which he may sustain, or has sustained, in consequence of the refusal of the council to take and purchase such land, which damages shall be estimated by the arbitrators who have valued the said land.”

38 V., c. 76, s. 91, § 5, replaced :

2. Subsection 5 of section 91 of the said act 38 Victoria, chapter 76, is replaced by the following :

“ 5. For providing out of the funds of the city a supply of water for the city and the citizens thereof, and for the lighting of the city with gas, electricity or in any other manner; and, in the event of the corporation not wishing to undertake the lighting of the city, for conceding the right of so doing to private individuals or incorporated companies; for compelling the owners of immoveable property within the city, to allow the necessary works for these purposes to be performed upon their respective properties; and for compelling all proprietors to allow the necessary pipes, lamps or posts to be attached to their houses; provided, always, that in all these cases, the expense of such pipes, lamps and other necessary works shall be borne by the corporation; and provided also, that the solidity of the buildings on or near which they shall be, shall be in no way affected thereby, and that all damages which may be caused shall be paid by the corporation, and that every proprietor shall be indemnified by the council or by the individuals or companies making such works, as the case may be.”

Supply by city of water or light, conceding right to light city to private individuals or companies.

Powers therefor.

Proviso.

Damages.

3. Notwithstanding any provision to the contrary, contained in sections 90 and 91 of the said act, it shall be lawful for the council to determine, by any by-law which shall hereafter be passed for contracting new loans or issuing new bonds, the amount which shall be payable yearly for establishing a sinking fund for the extinction of the debt created by such loans, at one per cent per annum on the capital of such loans instead of two per cent per annum.

38 V., c. 76, ss. 90 and 91 modified. Council may provide for sinking fund at one per cent.

4. The following subsection is added to section 81 of the said act 38 Victoria, chapter 76 :

Subsection added to 38 V., c. 76, s. 81.

“ 6. To aid in the construction of railways, telegraph and telephone lines and in the establishment of factories and navigation companies, by giving or lending money for that purpose, or by taking shares in companies formed and incorporated for such purposes, in accordance with the conditions determined and fixed by the charter of the city.”

Powers of corporation to give aid to certain companies.

5. In order to remove all doubts as to the interpretation of the second subsection of section 103 of the said act, it is enacted that when the secretary-treasurer shall have given a rate-payer, in arrear, the detailed statement mentioned in the said section, he shall not be obliged to give the same details in the statement which he shall afterwards furnish, but he shall mention in a lump sum the amount of which he has previously given the details to the such rate-payer, and he shall be bound to give in detail only the new arrears for the year.

38 V., c. 76, s. 103 explained.

Manner of giving statement of arrears to rate-payer.

Rate of interest on certain sums.

6. In future the council shall pay only four per cent interest on the various sums which it may hereafter have in hand, under section 107 of the said act.

41 V., c. 30, s. 1, explained :

Power of corporation to diminish tolls on bridges over the river St. Maurice.

7. Nothing contained in section 1 of the act 41 Victoria, chapter 30, shall be so construed, as to prevent the council from diminishing the tolls established for passing over the bridges belonging to the city built on the River St Maurice, and from altering and changing the same without the consent of the Lieutenant-Governor in Council, provided such alterations or changes shall not have the effect of increasing the said tolls.

49-50 V., c. 46, s. 11 and by-law of sixth February, 1888, modified : Duty of secretary treasurer in providing for paying of capital interest and sinking fund of debentures issued for construction of sewers.

8. Notwithstanding the provisions of section 11 of the act 49-50 Victoria, chapter 46, and the provisions of the by-law adopted by the council of the city of Three Rivers on the sixth of February, one thousand eight hundred and eighty-eight and intituled " Chapter 24—By-law respecting sewers and the issuing of debentures for such sewers." the secretary treasurer shall add up all the sums disbursed and expended for the construction of the sewers now constructed in the city under the provisions of the said section, and of the said by-laws, and the sum necessary for such purpose to meet the interest and sinking fund on the debentures issued for the purpose of paying the cost of the same, which shall be apportioned upon all the proprietors of real estate situate on the streets or parts of streets through which such sewers run, in proportion to the value of their properties as determined by the valuation roll.

Providing for the construction of certain sewers, and payment thereof.

9. The council may, of its own accord, order the construction of sewers on the part of Platon street which is not drained, and upon that portion of the *Rue du Fleuve* between Platon street and René street and pay the cost thereof out of the debentures which it is authorized to issue in virtue of the said section, and the amount thereof shall be added to the cost of the sewer already built in virtue of the said section and of the said by-law of the sixth February, one thousand eight hundred and eighty-eight ; and section 11 of the act 49-50 Victoria, chapter 46, as amended by the preceding section, and the said by-law shall extend and apply to the proprietors of real estate situate on the said portions of Platon street and *Rue du Fleuve*, as if they had been originally included in the said by-law ; and the special tax imposed by the said by-law shall be levied upon the said proprietors from and after the day fixed by the council, in proportion to the value of their properties, to pay for their share of the interest and sinking fund of the debt contracted to pay for such sewers.

49-50 V., c. 46, s. 11 extended to certain proprietors of real estate.

Payment of special tax therefor.

10. A certain by-law passed by the council on the nineteenth day of March, one thousand eight hundred and eighty-eight to grant to Richard Smardon, manufacturer, of the city of Montreal, a bonus to the amount of thirty-five thousand dollars for the establishment of a shoe factory in the city, approved by the municipal electors on the twenty-fifth day of April, one thousand eight hundred and eighty-eight, and a certain other by-law passed by the said council on the same day to grant a bonus to C. P. Gélinas & Frère, manufacturers, of the city of Three Rivers, for the establishment of a chair and shovel factory, are hereby confirmed and legalised for all purposes whatsoever.

Confirmation of certain by-laws passed in aid of manufacturers.

11. The council may issue debentures to an amount not exceeding sixty thousand dollars to settle the debt of the city to municipal loan fund with the government of the Province of Quebec.

Debentures for settlement of debt due on municipal loan fund.

12. Notwithstanding any provisions to the contrary in the second subsection of section 101 of the act 38 Victoria, chapter 76, the assessable value of each stallion kept for breeding purposes shall be eight hundred dollars instead of four hundred dollars, and of a horse over three years of age, kept for ordinary domestic purposes, shall be one hundred and fifty dollars instead of forty dollars.

Increase of assessable value on stallions and horses.

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

Coming into force of act.

C A P . L X X X I .

An Act to further amend the act incorporating the town of Levis, consolidated by the act 36 Victoria, chapter 60, and the acts amending the same.

[Assented to 12th July, 1888.]

WHEREAS the corporation of the town of Levis has, by petition prayed that the act incorporating it, as consolidated and amended by the act 36 Victoria, chapter 60, and as since amended, be further amended with a view to the better administration of its municipal affairs and the development of its material prosperity, and whereas it is expedient to grant such prayer ;

Preamble.

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