

C A P L X I .

An Act to further amend the act 36 Victoria, chapter 52, intituled: "An Act to incorporate the town of Nicolet."

[Assented to 18th May, 1837.]

WHEREAS the mayor and council of the town of Preamble.
Nicolet have, by their petition, prayed for further amendments to the act incorporating the said town, 36 Victoria, chapter 52, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows: 3

1. Section 7 of the act 36 Victoria, chapter 52, is replaced 36 V, c. 52
s. 7 replaced. by the following:

"7. The municipal elections for the town, under Time for
holding mu-
nicipal elec-
tions.
Notice for
such purpose. this act, shall be held in the month of May every two years, and public notice thereof shall be given at least eight days previous to such election in the French language, by notices posted up at the doors of the churches, and in the markets of the town, and read at the door of the Catholic church in the town, after Divine service in the morning of the Sunday preceding the election; and the said notice shall be signed, by the mayor or by the secretary-treasurer of the town and specify the day, place and hour upon which the said elections shall take place.

"Provided such change in the date of holding the municipal elections shall only take effect in the year 1839, and that the council elected in January, 1837, shall remain in office until the month of May, 1839." Proviso.

2. Section 22 of the said act is replaced by the following. Id. s. 22 re-
placed.

"22. When the assessors shall have made a valuation Deposit of
valuation roll. of all the taxable property of the town, they shall deposit the assessment roll with the secretary-treasurer of the town, and notice of such deposit shall be given by the secretary-treasurer in the same manner as notice of an election of councillors.

At the next ensuing meeting of the council, the assessment roll shall be produced, and, if they desire it, examined by the councillors; and the assessment roll shall be deposited in the office of the secretary-treasurer for the period of one month, dating from such meeting, and, during that period, it shall remain open to the inspection of all persons whose property shall have been estimated or their representatives, and within that period, persons Complaints
against roll. considering themselves aggrieved may give notice in writing to the secretary-treasurer, of their intention to appeal

to the town council, complaining of any excessive valuation.

Powers of council in the matter.

Such appeal shall be tried by the council, at the first meeting which shall be held after the expiration of the month above mentioned.

The council, after having heard the parties and their witnesses, under oath, which shall be administered by the mayor, pro-mayor or presiding councillor, shall confirm or alter the valuation, the change whereof shall have been prayed for, as to them shall seem just.

Closing of roll.

At the same meeting, the assessment roll shall be declared closed for three years; unless, however, from the number of appeals, the council shall be compelled to adjourn, in which case the said assessment roll shall not be declared closed until all the appeals shall have been heard and determined;

Corrections and additions to roll upon complaint to that effect.

After each change of owner, occupant or tenant of a lot mentioned in the assessment roll in force, the council, upon a written application being made to that effect, and upon sufficient evidence being adduced, may strike out the name of the former owner, occupant, or tenant and insert that of the new one; the council shall, likewise, in every year in which no new assessment roll is made, revise and amend the assessment roll in force, provided that, before proceeding to make such revision and amendments, public notice shall have been given, at least eight days beforehand, of the day and hour at which the sitting of the council shall be held for the purpose of making such revision and amendments, and the council shall, on that occasion, take cognizance of the complaints made in writing at its office, or verbally stated before it, and shall hear every interested party, as well as the evidence which he may wish to adduce.

Entry of amendments.

Every amendment to the assessment roll shall be entered on the roll or paper attached to it with the initials of the secretary-treasurer.

Proviso as to reduction in the valuation.

Provided always, that if, after the assessment roll shall have been declared closed, as aforesaid, any property in the town should suffer any considerable diminution in value, either through fire, demolition, accident or any other reasonable cause, it shall be lawful for the council, upon the petition of the proprietor, to instruct the assessors to reduce their valuation of such property to its actual value; and, provided also, that if any omission shall have been made in the said assessment roll, the council may order the assessors to value any property so omitted, in order to its being added to the roll; and provided also, that the said assessors shall, when directed by the council, make a yearly valuation of the stock of merchandize held in the said town."

Valuation of merchandize.

3. Section 36 of the said act is amended, by adding the following at the end thereof : Id. s. 36 amended.

“ It shall likewise have power to regulate the closing, on Sundays, of all shops, as well as of all stores, photograph galleries and other work-shops, considered as being contrary to the observance of Sunday. Closing of shops, &c., on Sundays.

4. Sub-section 21 of section 39 of the said act is amended, by adding at the end thereof the following sub-sections, which are sections 279, 280, 281 and 282 of the Town Corporations General Clauses Act. Id. s. 39 § 21 amended.

“ 21a. To cause to be opened, dug, enlarged, covered and maintained any ditch necessary for drainage, or any boundary or division ditch or any water-course situate in the town or beyond the limits thereof, as the council may judge advisable. Opening, &c., of ditches, &c.

To determine the time and manner of making such works, as also the persons of the town by whom or at whose expense, the same shall be made. Time for making such works.

“ 21b. To levy, if the works are to be executed at the joint expense of the parties interested, on the proprietors of the lands situate within the town and drained by the ditch or water-course, the sums required for such works, according to the estimated value of such lands or the length of the ditch or water-course upon the same ; and to determine the mode of collecting and levying the taxes so imposed. Levy sums required for that purpose

“ 21c. To impose penalties on any persons obstructing, deranging, or suffering the obstruction or derangement of ditches or water-courses, or refusing to make or suffer to be made the works ordered by the inspectors under the by-laws. Imposition of penalties for obstructing drains, &c.

“ 21d. To carry on, at the expense of the corporation, for a determined or undetermined period, all works on ditches or water courses.” Assumption of works on drains, &c.

5. Sub-section 25 of the same section 39 is amended by adding, at the end thereof, the following sub-sections, which are substantially sections 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321 and 322 of the said Town Corporations General Clauses Act. Id. s. 39 § 25 amended.

“ 25a. To provide for the establishment, maintenance, and management of waterworks, public wells, cisterns or reservoirs, to supply water to the town ; Establishment of water-works.

To prevent the public water being fouled or expended uselessly or contrary to municipal by-laws ; Prevent waste &c. of water.

To restrict the use of such water as circumstances may, in the opinion of the council, render the same necessary ; Restrict use of water.

To prevent any person from giving such water to, or Prevent water

- being given to certain persons. Tax for sinking fund. permitting it to be taken by any person from whom the council has cut it off.
- Investment, &c., of sinking fund. " 25*b*. To impose, with the object of meeting the interest on all the sums expended in the construction of water-works and of establishing a sinking fund, on all the owners or occupants of houses, shops or other like buildings, a special annual tax, not exceeding one cent in the dollar, on the assessed value of each such house, shop or building, including therein the land.
- Levying of tax for that purpose. *a*. The sinking fund created by virtue of this section, shall be invested and managed in the same manner as stated in relation to the fund of section 349 of the Town Corporations General Clauses Act.
- Proviso. *b*. Such tax shall be imposed and levied, even in the case of the proprietors or occupants not availing themselves of water from the water-works; provided that the corporation has notified such proprietors or occupants that it is prepared, at its own expense, to bring the water into or near their respective houses, shops or buildings.
- Compensation for water. " 25*c*. To cause to be paid, over and above the special tax, a compensation calculated according to such tariff as it shall deem meet, by every proprietor, tenant or occupant of any house, shop or like building, whether or not the latter avail themselves of the water; provided always that it has caused a notice to be served on them, to the effect that it is prepared to conduct the water, at its own expense, into or near their houses, shops or buildings.
- Persons liable to payment of such compensation. *a*. Every proprietor, having one or more tenants, sub-tenants or occupants, shall be liable for the payment of such compensation, in the event of his refusing or neglecting to furnish a distinct and separate supply pipe to such tenant, sub-tenant or occupant.
- Agreements for supplying water. *b*. The council may further make special agreements with respect to supplying water to steam engines, breweries, distilleries, tanneries, manufactories, mills, livery-stables, hotels, as also in other special cases.
- Manner of levying special taxes, and compensation for water. *c*. The special tax and the compensation imposed by sub-sections 25*b* and 25*c*, shall be levied according to the rules and in the manner prescribed for general taxes.
- Supplying water to persons beyond municipal-ity. *d*. The council may also make special agreements for the supply of water, beyond the limits of the municipality, provided that the persons with whom such agreements are made, comply with the by-laws respecting the management of the water-works.
- Works necessary for water-works. *e*. The council may oblige the owners of lands, situate within the municipality or beyond its limits, to permit the work necessary for the construction and maintenance of the water-works to be executed upon their properties, saving indemnity for actual damages sustained, as established by arbitrators.

A plan, indicating the manner in which properties shall be traversed by the pipes, shall be prepared and previously submitted for the approbation of the Lieutenant-Governor in council. Plan thereof to be submitted to Lieutenant Governor.

f. The officers appointed for the administration of the water-works may enter into any house or building whatsoever, or upon any property, whether situated within or without the limits of the town, for the purpose of satisfying themselves as to the waste of water or as to the by-laws relative to the water-works being faithfully carried out. Power of officers to enter property, to inspect water-works.

It shall be the duty of the owners or occupants of any such house, building or property to suffer the officers, to make such visit or examination ; and the water may be cut off from any person refusing to receive the officers while such refusal continues. Owners, &c., to permit such inspection.

g. The council may cut off the water supply from any person refusing or neglecting to pay the special tax or compensation for the use of the water, as also from all persons who allow the water to be wasted. Water may be cut off.

h. The persons from whom water shall have been cut off, for any of the reasons mentioned in the two preceding paragraphs, shall, however, remain liable for the payment of the special annual tax and of the compensation fixed for the use of the water, as fully as if they availed themselves of the water. Tax and compensation to be nevertheless paid.

i. The corporation shall not be bound to warrant the quantity of water to be supplied under the authority of this act, and no person shall refuse, on account of the insufficiency of the water supply, to pay the annual special tax and the compensation for the use of water. Quantity not to be warranted.

“25*d.* To transfer its rights and powers, respecting the water supply, to any company willing to undertake the same, provided that such company shall not exact, for the use of the water, rates higher than those approved or determined by by-law of the council.” Transfer of rights to company.

¶ Sub-section 28 of the said section 39 is amended by adding thereto the following subsections which are, in substance, sections 229, 230 and 231 of the said Town Corporations General Clauses Act. Id. s. 39 § 23 amended.

“28*a.* To aid in the construction of any bridge, causeway, pier, wharf, slide, macadamized or paved road, railroad, or other public works, situated in whole or in part within the municipality or in its vicinity, undertaken and built by any incorporated company, or by the Provincial Government ; Aid construction of bridge, &c.

1. By taking and subscribing for shares in any company formed for such purpose ;
2. By giving or lending money to such company or to the provincial government ;

3. By guaranteeing, by endorsation or otherwise, any sum of money borrowed by such company.

Hold stock
in telegraph
companies.

“28b. To subscribe for or hold stock in any company formed for the purpose of constructing electric telegraph lines.

Approval of
by-law for
such purpose.

Every by-law passed in virtue of this and the preceding sub-sections, before coming into force and effect, shall be approved by the electors of the municipality who are proprietors, in the manner prescribed in sections 356 and the following, to section 360 inclusively, of the said Town Corporations General Clauses Act.”

Id. s. 46
amended.
Recourse in
warranty of
corporation
in suits for
damages.

7. Section 46 of the said act is amended, by adding the following at the end thereof :

“And in case of suits against the corporation of the town of Nicolet, for damages in connection with the by-laws of the council or the internal government of the town, the corporation shall have its recourse for all such damages against any citizen or person in default who shall have occasioned such damage.”

C A P . L X I I .

An Act to incorporate *La Canadienne* Life Insurance Company.

[Assented to 18th May, 1887.]

Preamble.

WHEREAS Jacques Grenier, Louis Tourville, Charles C. de Lorimier, Ferdinand N. Belcourt, all of the city and district of Montreal, and the Honorable Henri Gédéon Malhiot, of the city and district of Three Rivers, have prayed for an act to incorporate them and others under the name and style of “*La Canadienne* Life Insurance Company” for the purpose of authorizing them to carry on the business of life and accident insurance ; whereas it is admitted that the establishment of a national association of the kind would be of great benefit to the interests of the Province of Quebec, and would help to keep within it a portion of the sums which are yearly paid out as premiums for insurance which are in a great measure effected with companies which do not belong to the Province ; whereas the creation and establishment of such a company here would be productive of great benefit to the inhabitants of this Province in effecting insurances and settling losses and would give greater security and facility for the recovery of the same, while contributing to the commercial prosperity of the Province, and whereas the persons above mentioned wish and desire to form and maintain a company of that nature, and by their petition have