

Repeal of inconsistent provisions.

19. All acts, or portions of acts, contrary to or incompatible with the provisions of the present act, are hereby repealed.

CAP. LVI.

An Act to legalize the compromise entered into between the School Commissioners and the Corporation of the City of Quebec.

[Assented to 24th December, 1872.]

Preamble.

WHEREAS the Roman Catholic School Commissioners of the city of Quebec, have presented a petition to the Legislature, setting forth that they have accepted from the Corporation of the city of Quebec, the sum of \$6,600, in payment of all arrears due by the said Corporation to the said School Commissioners up to the thirty-first December, 1871, and that they have also accepted the sum of \$4,454.30, in lieu of \$7,015.63, for the current year, (1872); and whereas the Protestant School Commissioners of the said city have also presented a petition to the Legislature, setting forth that they have accepted from the said Corporation the sum of five thousand dollars in payment of all sums due to them up to the first day of January last; and whereas the said Commissioners have respectively prayed this Legislature to legalize the said Commissioners and to hold them harmless from all responsibility in relation thereto; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Compromise mentioned in preamble legalized.

1. The compromise made as aforesaid, and set forth in the preamble of this act, is legalized, and the Roman Catholic and Protestant School Commissioners respectively, and the said Corporation of the city of Quebec, are declared to be freed from all responsibility in relation thereto.

CAP. LVII.

An Act further to amend the Act Incorporating the City of Three Rivers.

[Assented to 24th December, 1872.]

Preamble.

WHEREAS it is desirable that amendments be made to the Act of Parliament of the heretofore Province of Canada, passed in the twentieth year of Her Majesty's reign, intituled: "An Act to make more ample provision for the

Incorporation of the Town of Three Rivers," and to the acts passed subsequently for amending the act aforesaid; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. It shall be lawful for the said council, if they think fit, to cause, within the year following that during which the assessment-roll for the said city shall have been made, the assessment-roll then in force, to be revised and to cause to be inscribed thereon all changes, increase or decrease, which may have occurred in relation to the number or value of properties, rents, stocks in trade, animals and vehicles, professions, arts and trades, in short on all persons or things liable to paying municipal taxes and assessments.

Power to revise valuation roll.

2. It shall be lawful for the said council to make by-laws binding on all persons for the following purposes, to wit:

Power to make by-laws:

1. For providing for the examining and weighing of all bread exposed for sale, and for the seizure, forfeiture and confiscation, and for the disposal of the same after such confiscation, of any bread made or exposed for sale in contravention to said by-laws, or being too light or unwholesome; and for authorizing proper officers and persons, for such purpose, to enter bakeries or other places, and to stop vehicles carting bread, in order to examine and weigh the same, and to accomplish any other necessary act or thing, or which may be deemed to the public advantage, to ensure the execution of such purpose or put such by-laws in operation;

For regulating sale of bread.

2. For charging an increase not exceeding ten per cent on all yearly arrears of taxes or assessments, constituted rents, rents, or market revenues, accruing from all sources; on all yearly arrears of interest due to the said council under any obligation, agreement or contract whatsoever, and for charging interest not exceeding ten per centum per annum on any sum expended by the said corporation for the advantage of any person, in conformity with the provisions of law or of any by-law made by the said council, or any obligation, agreement or contract whatsoever, and upon the amount of any duty or license due to the said council, and upon the amount of any judgment obtained by the said council before any court of justice;

For charging interest on arrears or debts due to the corporation.

3. For placing under the control of the said council any road, street, lane, side-walk, brook, ditch, drain or bridge, or part of any street, lane, side-walk, brook, ditch, or drain within the said city, and for opening, making, improving, repairing, maintaining and keeping the same in good order; and for imposing certain special taxes on all proprietors of any lands, lot or emplacements, bound by law or under any *procès-verbal* or by-law made by the said council, to open,

For assuming control of roads and water courses and imposing taxes for that purpose.

make, improve, maintain and repair any such road, street, lane brook, ditch or drain as the said council may so take under their control, in order to refund and repay the said council, in whole or in part, all costs and expenses incurred for such purposes; and such special tax shall be reckoned and payable to the said council in proportion to the extent of any land so imposed, along any such road, street or lane, and to the extent of the land crossed by any such brook, ditch or drain;

For increasing dog tax.

For increasing the amount payable by any person owning, in possession of, or keeping any dog within the said city to a sum not exceeding ten dollars, and for ordering the killing of any vicious dog or any dog for which such tax has not been paid.

Voting of moneys for certain purposes.

3. Before the first day of August in each year, the said council shall vote the necessary sums to meet the expenses of the current year, and to provide:

1. For the payment of all debts or liabilities of the said corporation falling due in the course of the year;
2. For the payment of interest on the capital of the other debts of the said corporation;
3. For the usual and general expenses of the said city;
4. For the appropriation of the sums required during the said current year for intended improvements or works;
5. For establishing a reserve fund of not less than five per cent, to be levied on the revenues of the said city, from whatever sources they arise, and such reserve fund shall be for the purpose of meeting unexpected expenses of the said corporation.

Who may sign and serve notice mentioned in 20 V. c. 129 s. 9.

4. The notice mentioned in the second sub-section of the thirty-ninth section of the act twentieth Victoria, chapter one hundred and twenty-nine, may be signed by the secretary-treasurer of the said council, or by one of his assistants, and served by any person in the employ of the said council.

Who may vote at municipal elections.

5. In future persons entitled to vote at the municipal elections of the said city, shall only be the male inhabitants free-holders and householders of the age of twenty-one years, assessed in the assessment-roll of the said city and residing therein, and in actual possession of real estate valued in the said roll of at least two hundred dollars; also, all tenants, at the time of such elections, of the age of twenty-one years, who shall have resided and paid rent in the said city, according to the said assessment roll, for a house or part of a house, during the year next preceding such election, at the rate of not less than thirty dollars per annum, and all lease-holders of the age of twenty-one years, who

shall have built upon the property so leased a house which could be rented *bonâ fide* for a sum of not less than thirty dollars per annum.

6. Whenever a by-law or by-laws has been passed by the council of the said corporation, having for effect the imposing a burden upon real estate in the said city, and which are subject to the approval or disapproval of the municipal electors of the said city, the proprietors of real estate in the said city and residing therein, of the value of two hundred dollars at least, according to the assessment-roll then in force, shall alone be entitled to vote on any such by-law.

Who may vote for or against by-laws submitted to electors.

7. The provisions of the third sub-section of the thirty-sixth section of the said act, twentieth Victoria, chapter one hundred and twenty-nine, shall extend and be held to apply to any ground used as a yard or depot for unsawn, sawn, or manufactured timber, and to any yard or depot for coals or other articles of commerce kept for sale.

§ 3, of s. 36, of 20 V., c. 129 interpreted.

8. It shall be the duty of the valuator in the said city to value and charge in the assessment-roll of the city, the annual value of the rent of any property occupied by any person not being the proprietor of the same, who is not, nevertheless, bound to the payment of such rent.

Duty of valuator in certain cases.

9. It shall be lawful for the said council, when it shall deem it advisable to institute before the circuit court for the district of Three Rivers, to which jurisdiction is hereby for such purpose given, all suits for contravention or infraction of the provisions of the said act, twentieth Victoria, chapter 129, and of the several amending the same, and of the provisions of the by-laws of the said city.

Power to sue for infractions of acts of incorporation or by-laws.

10. In all cases of persons convicted of drunkenness or of loose, idle and disorderly conduct, or as vagrants, or of a breach of the peace in the said city, and when they shall have been previously convicted of a similar offence, the court pronouncing the sentence may, at its discretion, sentence the offender either to the fine and costs prescribed by the act twentieth Victoria, chapter 129, or else to imprisonment in the common gaol of the district of Three Rivers, for a period not exceeding two calendar months.

Punishment in cases of second convictions.

11. It shall be lawful for the said council, to cause to be valued by arbitrators, in conformity with section fifty-nine of the act twentieth Victoria, chapter 129, the increase in value acquired by properties, the value of which is increased, or which shall have benefitted by the opening, exten-

Power to increase valuation of property, and tax owners for portion of cost of improvements.

sion, widening of any street, road, or public square, by the said council, and to impose a special tax or assessment on the properties so valued, for the purpose of causing to be paid by the proprietors of the said lands, half or any other proportion, less than half, of the cost of the aforesaid works or improvements, as the said council may deem just and fair, the other half of the cost of such works or improvements shall be defrayed out of the general funds of the city: provided always, that the amount which each such proprietor shall have to pay for any such works or improvements, shall not exceed twenty-five per cent of the increase in the value of his property, occasioned by the said works or improvements.

Ferry licences. **12.** Anything contained in the municipal code of the province of Quebec, to the contrary notwithstanding, the exclusive right of granting ferry-licenses between the said city and the south shore of the river St. Lawrence, is conferred upon and continued to the said council, and the same right is extended to the ferries between the said city and the parish of "Cap de la Magdeleine."

Making and revision of lists of voters.

13. It shall be the duty of the secretary-treasurer of the said council to make and complete at least twelve days before the day on which the municipal elections are held within the said city, an alphabetical list, sworn to by the said secretary-treasurer, for each ward of the said city, of the electors qualified to vote in each such ward, at such municipal elections, and to give public notice that such lists have been drawn up, and during the six days following the day on which said lists shall have been completed, they shall be deposited in the office of the said secretary-treasurer open to the examination of the said municipal electors, and any such elector who has reason to complain of the said lists or of one of them, shall, within such delay lodge a complaint against the said list or lists with the said secretary-treasurer; and at the expiration of the six days aforesaid, such complaint shall be heard and adjudged upon by a committee appointed by the said council, and composed of three members thereof; provided always, that the members of the said council going out of office at the then next ensuing elections shall not be entitled to act as members of the said committee, and when such lists shall have been so revised by the said committee, or after the delay fixed for the revising of the same; if they have not been so revised, the said secretary-treasurer shall make and deliver certified copies of the said lists to the persons presiding at the said elections, to be used in the several polls in which such elections shall be held, and no persons other than those whose names are entered on the said lists shall be entitled to vote at the said elections.

14. It shall be the duty of the members of the said council to see that the said lists be made, revised and delivered as aforesaid, and in default of the said secretary-treasurer making the said lists or any of them, within the delay hereinabove mentioned, and delivering the same to the person presiding at the said elections within the delay prescribed, he shall incur a penalty of one hundred dollars, recoverable by any elector of the said municipality, before any court of competent civil jurisdiction, and in the event of the said lists having been made by the secretary-treasurer within the delay aforesaid, and the same or any of them not having been revised in the manner and within the delay prescribed in the next preceding section, every member of the said council shall thereby incur a penalty not exceeding twenty dollars, recoverable before the said court by any elector who shall have lodged his complaint against one or all of the said lists, as provided in the said section.

Penalty for failure to make or to revise said lists.

15. If, at the time of a municipal election, no electoral list for all or any ward has been made or revised as aforesaid, and if it has not been delivered, the election shall be held in the same manner as before the passing of this act, but the electors voting at the said elections must be qualified as required by this act.

How election shall take place in default of lists of voters.

16. It shall be lawful for the said council to levy all sums due to the said council, for constituted rents, rents or market revenues, from whatever source derived, obligations or money expended by the said council in accordance with the provisions of any obligation, contract or agreement with the said council, dues or licenses payable to the said council, and upon any judgment rendered by any court of justice in the same manner and with the same formalities as are collected taxes and assessments due to the said council, by any rate-payer in arrears.

Debts may be collected in same manner as taxes.

17. The mode prescribed in the second sub-section of the sixty-first section of the municipal and road act, chapter twenty-four of the consolidated statutes for Lower Canada, in relation to the sale of real estate for municipal taxes and other charges, being prejudicial to the interests of the said corporation of Three Rivers, and to that of the proprietors of said real estate, in so far as such properties being generally town lots or emplacements are too small to be parcelled out and sub-divided as prescribed by the said sub-section; the said sub-section in the sixty-first section of chapter twenty-four of the consolidated statutes for Lower Canada, is hereby repealed in so far as relates to the emplacements or pieces of land situate within the said city of Three Rivers, and the said pieces of land or emplacements

§ 2, of s. 61, c. 24 C. S. L. C. repealed as regards Three Rivers.

which, in future, shall be sold in conformity with the other provisions of the said chapter twenty-four of the consolidated statutes of Lower Canada, shall be sold by auction and awarded to the highest and last bidder.

Surplus of price of property sold to be paid over to treasurer of the province.

18. If the amount for which such piece of land or emplacement was sold be greater than that due the said council of the city of Three Rivers, the secretary-treasurer of the said council shall place in the hands of the treasurer of the province of Quebec, the surplus of such price of sale, to be paid over to the person entitled thereto.

Certain moneys may be invested without letters of mortmain.

19. The ecclesiastical or civil corporations the property or part of property of which shall be ceded to the corporation of the said city of Three Rivers, or taken by it for purposes of public utility, may invest the price or compensation paid for such property or part of such property ceded or taken, in other real estate in any part of this province, and may hold and possess the same without a license of mortmain from Her Majesty, any law to the contrary notwithstanding.

Inconsistent enactments repealed.

20. All and every provisions of law in force, relating to the incorporation of the said city, inconsistent with the provisions of this act, shall be and they are hereby repealed from and after the passing of this act.

CAP. LVIII.

An Act to amend the Act 23rd Victoria, chapter 75, respecting the Act of Incorporation of the Town of Sorel.

[Assented to 24th December, 1872.]

Preamble.

WHEREAS "the mayor and council of the town of Sorel," have, by petition, prayed for certain amendments to the act of incorporation of the said town, and that it is proper to grant the conclusions of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Power to issue debentures to consolidated water-works debt.

1. To consolidate the debt incurred for the construction and establishment of water-works, the corporation of the town of Sorel, by the name of "the mayor and council of the town of Sorel," may issue bonds for an amount not exceeding forty thousand dollars, payable to bearer or order, at the expiration of twenty years from the date