

Prayer books and catechisms;

Proclamations, gazettes, almanacs or other documents printed and published by authority;

Fish, fruit, fuel (firewood, coal and coal oils), and provisions, excepting tea and coffee;

Goods, wares and merchandise other than drugs, medicines and patent medicines, when they are peddled and sold by the actual maker or worker, being a British subject and a resident of this Province, or by his children, apprentices, agents or servants;

Tinkers,  
etc., along  
highway;

3. Tinkers, coopers, glaziers, harness repairers, or other persons carrying on the trade of repairing kettles, casks, household furniture and utensils, to go along the highway and carry on their business;

Hucksters,  
etc.

4. Hucksters, or persons having stalls or stands on markets of a local municipality, for the sale of fish, fruit, victuals, or goods, wares and merchandise, in such stalls or stands, on their complying with the police regulations of the local municipality.

Reserva-  
tion.

**9.** Nothing herein contained shall free a peddler from the obligation of taking out a license under the authority of the Quebec License Act, and from acting in conformity with the provisions thereof.

Prov. Treas-  
urer to ad-  
minister.

**10.** The Provincial Treasurer is charged with the administration of the present act.

Coming into  
force.

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

## CHAP. 88

### An Act to amend the charter of the city of Quebec

*[Assented to, the 15th of March, 1924]*

Preamble.

**W**HEREAS the city of Quebec has, by its petition, represented that it is in the interest of the city and necessary for the proper administration of its affairs that its charter, the act 29 Victoria, chapter 57, and the acts amending the same, be amended; and

Whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Authoriza-

**1.** The city of Quebec is hereby authorized to borrow a

sum not exceeding five hundred and ninety thousand dollars, to pay the cost of the following: tion to borrow.

a. Two hundred and forty thousand dollars for the settlement of the Bastien matter;

b. Three hundred thousand dollars for permanent works for the water-works department;

c. Fifty thousand dollars for the construction of a collecting sewer on Montmagny street.

**2.** To effect the said loan, above mentioned in section 1, the city may issue bonds or inscribed stock certificates, Issue of bonds, etc. according as it may deem necessary, for the objects above enumerated; which bonds or stock certificates shall be for such sum as the city may deem suitable, and shall be payable at a term of not more than thirty years from the date thereof, at such rate of interest, not more than six per cent, as the council shall determine.

**3.** The city may, by resolution, declare that the said loan shall be effected by short-term bonds, Short-term bonds. issued for a term of not less than two nor more than fifteen years, at such rate of interest, not more than six per cent, as the council may fix, and with a sinking-fund of at least two per cent per annum, provided that each issue, after the first, shall be only for the balance due on the loan.

**4.** The city shall provide for the payment of the bonds or inscribed stock certificates, the issue whereof is authorized by section 2, either by paying on the capital of the said bonds or inscribed stock certificates, half-yearly or every year, at its option, a sufficient amount so that the capital will be paid up at the maturity of each bond or certificate, or by establishing a sinking-fund, Sinking-fund. in such manner as it may deem advisable, sufficient to pay the capital at maturity; such sinking-fund shall not be used for any other purpose than the payment of such bonds or inscribed stock.

**5.** The city may also borrow any other amount which it deems expedient and, for such purpose, issue bonds, debentures or inscribed stock, but only by virtue of and under a by-law which must be approved by the affirmative vote of at least the absolute majority of all the members Additional borrowing power. of the council. This by-law must indicate under pain of nullity: How effected.

1. All the purposes set forth in detail for which the loan is to be effected; Contents of by-law.

2. The term of the loan;

3. The rate of interest;

4. The creation of the sinking-fund;

5. The place or places of issue, of registration, of transfer, of payment of interest, and of repayment of capital at maturity;

6. The nature of the title to be issued, whether in the form of bonds, debentures or inscribed stock; also whether interest and capital are payable in sterling, currency or otherwise;

7. All other particulars relating to such loan.

**Special tax.** Under such by-law a special tax on the taxable immovables situated within the city shall be levied to meet the interest of the loan and to create a sinking-fund sufficient to repay such loan at maturity. This tax, whereof the rate shall be fixed every year by resolution of the council, shall be annually apportioned, according to the value of the taxable immovables as appears in the valuation roll, during the period of the loan, and shall appear in the annual real estate assessment roll.

**Approval of by-law.** No by-law of this nature shall be effective unless it is submitted to the approval of the owners of taxable immovables situated within the limits of the city, whose names are entered on the electoral lists then in force.

**One loan by each by-law.** One and the same by-law shall apply only to one loan, but the voting on several by-laws of this nature may take place in the same polls and at the same hours, if the date for voting fixed by several by-laws is the same.

**Vote on by-laws.** If several loan by-laws are thus submitted at the same time to the electors who are proprietors, the votes on each by-law shall be entered in separate poll-books.

**Procedure for voting on by-laws.** **6.** Whenever a loan by-law is submitted to the approval of the electors owning taxable real estate, in virtue of the provisions of this act, the procedure to be followed in connection with the voting thereon, shall be as follows:

*a.* The council shall fix, in the by-law, the date on which the vote of the electors who are real estate owners and whose names are entered on the real estate assessment roll in force shall be taken, and there shall be an interval of not less than thirty days between such date and that on which the by-law has been adopted.

*b.* Polls shall be established at the city hall and at such other places as may be designated by the council, provided that, in every case, there shall be a poll in each ward.

*c.* The voting shall not last less than two days, from 9 o'clock of the forenoon to 5 o'clock of the afternoon. The council may, however, if it deems it advisable, extend the hours for voting, provided that the polling come to an end not later than 11 o'clock in the evening.

d. The city clerk shall prepare or cause to be prepared, for use at the polling place or places, a copy of the real estate assessment rolls in force and shall certify the accuracy thereof by his signature and the official seal of the city.

e. The city clerk is, however, authorized to use for the purpose of the voting the original of the real estate assessment rolls.

f. Each elector who is a real estate owner may vote but once, and no person whose name is not entered on the real estate assessment rolls in force, or who has not the qualifications required by law, shall be entitled to vote.

g. Joint-stock companies or corporations may only vote through a representative of the company or corporation duly authorized to that effect by a resolution of the board of directors, a copy of which, certified by the secretary, shall be deposited with the city clerk at the time of the voting.

h. Joint-owners or usufructuaries of any immoveable whatsoever, in the city, may only vote through a representative appointed by the majority of said joint-owners or usufructuaries. A power of attorney to that effect must be given by them to the person authorized to vote in their name, and such power of attorney must be deposited with the city clerk at the time of the voting. The person so authorized to vote in the name of the joint-proprietors or usufructuaries must moreover deposit, with the city clerk, a declaration sworn before a justice of the peace or a commissioner of the Superior Court, attesting the authenticity of the signatures affixed to said power of attorney.

i. Every vote, which shall have been given contrary to the provisions of this section, shall be set aside when counting the votes.

j. Each elector shall present himself in turn and give his vote by "yea" or by "nay"; the word "yea" meaning that he approves of the by-law, and the word "nay", that he disapproves of the same.

k. The name of the elector and the vote given by him shall be entered in a special book, called poll-book, which the deputy returning-officer shall keep for such purpose.

l. The city clerk shall, at least one week before the day fixed for the polling, publish or cause to be published over his signature, in two French and two English newspapers, a notice indicating:

1. The nature of the by-law to be submitted to the electors being real estate owners, according to a summary approved by the council;
2. The days and hours of polling as well as the polling place or places.

*m.* The city clerk shall, at least two days before the date fixed for polling, appoint a deputy returning-officer for each of the polls and supply him with a certified extract from the real estate assessment rolls in force or with the original of such rolls.

*n.* The city clerk may, by a commission signed by him, appoint such number of persons as he may deem advisable to represent, at the polling place or places, the citizens who are interested in promoting the passing of the by-law and a like number of persons to represent the citizens who are interested in opposing the passing of the by-law. Such persons shall, before being so appointed, sign before the city clerk a declaration to the effect that they are interested in promoting or opposing, as the case may be, the passing of the by-law.

*o.* During the time appointed for polling, no person shall be permitted to remain in the poll or polls, other than the officers, clerks and persons or electors, being real estate owners, authorized as aforesaid to act as representatives.

*p.* The proceedings at each poll shall be, as far as possible, the same as at municipal elections held under the city charter, and all the provisions of the charter respecting elections insofar as the same are applicable, and except when inconsistent with the provisions of this section, shall apply, *mutatis mutandis*.

*q.* Any elector, being a real estate owner, may be required by the deputy returning-officer or by any person authorized, under paragraph *n*, to act as representative, to take the following oath or affirmation before voting, and before being allowed to vote must answer, under oath or affirmation, in the affirmative, the questions numbered 1, 2 and 3, and in the negative, the questions numbered 4 and 5:

“You swear or affirm (as the case may be):

1. That you are of the full age of 21 years and a British subject;
2. That you are, according to law, entitled to vote on the by-law now being submitted for approval;
3. That you are the person named or purporting to be named on the real estate assessment roll now shown to you;
4. That you have not received anything nor has anything been promised to you, directly or indirectly, either to induce you to vote on this by-law, or for loss of time, travelling expenses, cab hire, or any other services connected therewith, and that you have not, directly or indirectly, promised anything to any person, either to induce him to vote or to abstain from voting on this by-law;

5. That you have not already voted on this by-law at this or any other poll."

No inquiry shall be made of any voter except with respect to the facts specified in such oath or affirmation.

r. The deputy-returning officers shall, while the voting is being proceeded with, obtain from the electors owning real estate who vote all such information as may tend to establish the value of all the immoveables owned by each of them in the different wards of the city.

s. At the closing of the voting, the city clerk, aided by the election clerk and any other person he may deem advisable to appoint for such purpose, shall proceed to count the "yeas" and "nays", and, within eight days thereafter, he shall submit to the council the result of the polling, with a statement showing the value of the taxable real estate of each of the voters, according to the real estate assessment rolls in force.

The city clerk shall also state in his report whether the majority in number and in value of the taxable real estate owners approve or disapprove of the by-law.

t. If the council desires to examine the poll-books and the valuation rolls, the same shall be produced at once.

u. In the event of the votes being equally divided, the city clerk shall give his casting vote.

7. Whereas the municipal valuation which serves as a basis for school taxes and for the collection of such taxes is under the control of the city council; whereas it is consequently fair that the Protestant minority, on which depend the schools of that religious belief, should have a representative in the city council, it is expedient to enact and it is enacted that the city council may, when the population professing the Protestant religion is not represented therein by an alderman of that religious belief, regularly elected, order, by by-law, an election, including all the wards of the city, in which only the electors who are proprietors and whose names appear on list number 2, which comprises real estate belonging exclusively to Protestants, shall take part.

The council shall determine the manner, the holding and the formalities of such election by following, as far as possible, the provisions in the charter respecting municipal elections.

Only the persons whose names appear as proprietors on the said list number 2 may be nominated as candidates and elected, if they possess the other qualifications required of an alderman.

Term of  
office.

The alderman so elected shall remain in office until his death, resignation, annulment of his election, or until the following general election. If a vacancy occur before the general election, or if, after the holding of the general election, there is no representative of the Protestant minority among the aldermen elected, the city council may order the holding of an election according to the provisions of this section.

Reimburse-  
ment of cer-  
tain loan by  
a long-term  
loan.

**8.** Any provision of law to the contrary notwithstanding, whenever the city is called upon to pay the long-term loan of five thousand six hundred *louis* authorized by the act 58 Victoria, chapter 49, section 23, it may, by resolution of the council, repay the said loan by means of another long-term loan, in accordance with the provisions of sections 2 and 4 hereinabove.

Id., by a  
short-term  
loan.

The city may, moreover, if it deems it expedient, declare, by resolution, that the said loan shall be repaid by a short-term loan, in not less than two nor more than fifteen years, at such rate of interest, not exceeding six per cent per annum, as the council may fix, and with a sinking-fund of not less than two per cent per annum, provided that each issue after the first shall be only for the amount of the balance due on the said loan.

Modifica-  
tion of by-  
law No. 55  
authorized.

**9.** By-law No. 55 of the city and the contract signed in virtue thereof, respecting the ferry between Quebec and Levis may, with the consent of the parties, to wit, the city of Quebec, the city of Levis and the successful tenderer, be modified with respect to the construction and plans of the boats.

Payment  
ratified.

**10.** The payment of the amount of six thousand seven hundred dollars made for expenses occasioned by the holding of the Eucharistic Congress, at Quebec, is hereby ratified.

Contribu-  
tion au-  
thorized.

**11.** The city is authorized to pay to the electric tramway company an amount of ten thousand dollars as its contribution to the cost of constructing a level crossing for the electric tramway on the Beauport road, the said amount being in the place and stead of the amount which the city was authorized to borrow and to pay for its share in the construction of a tunnel at the said place, in virtue of section 16 of the act 12 George V, chapter 104.

Approval  
of advertise-  
ment.

**12.** The city is authorized to adopt by-laws ordering that any poster or advertisement, intended to be displayed publicly within the city limits, shall, before being so dis-

played, be approved in the manner provided in said by-laws.

**13.** The city is authorized to make such contracts as it may see fit with life and pension fund insurance companies for the operation of the pension fund for the members of the police force and fire brigade, which it was authorized, by section 4 of the act 10 George V, chapter 85, to create. Pension fund for police force and fire brigade.

**14.** All premises occupied for purposes of education by lay institutions, recognized by the Superintendent of Public Instruction, shall be exempt from the business tax. Certain immoveables exempted from tax.

**15.** Section 44 of the act 7 Edward VII, chapter 62, as replaced by section 13 of the act 8 George V, chapter 83, is again replaced by the following: 7 Ed. VII, c. 62, s. 44, replaced.

**“44.** If the proprietor of land, who is bound to make a sidewalk in any street of the city, offers the latter to make the said sidewalk in stone, in asphalt blocks, in asphalt or in cement, the whole upon a concrete foundation at least four inches thick, in such case, if the city engineer has authorized and accepted the same, the city of Quebec shall repay to the said proprietor one-half of the cost or of the value of the said work; provided, however, that the city shall in no case be called upon to pay more than one dollar and thirteen cents per square yard for its share of the cost or value.” Contribution of the city for construction of permanent sidewalks.

**16.** The city of Quebec may hold exhibitions on the property purchased from the Quebec Exhibition Company, and, for the organization and management of such exhibitions, appoint a commission which shall account to it. Such Commission shall consist of five members appointed as follows: four by the city council, but the council may be represented by only one of its members; and one by the Minister of Agriculture. The ground included in said property may also be used and employed for other purposes of public utility. City authorized to hold exhibitions and appoint a commission.

**17.** Number 726 of the official cadastre of the parish of Charlesbourg, and the subdivisions of such number, are hereby annexed to the city of Quebec for all purposes whatsoever, as well municipal as school. Annexation.

The conditions of said annexation shall be as follows: Conditions.

1. The above mentioned lot shall retain its present valuation for a period of twenty years from the date of annexation, or so long, during said period, as said lot remains the property of the present holders or of their heirs in the direct line;



2. Should the present proprietors divide the said lot into building lots, in whole or in part, the city may tax each lot according to the system then in force in the city, so soon as the lots have passed into the hands of third parties, whether by promise of sale or otherwise;

3. The proprietors of the present lots, in the event of division of the land into building lots, undertake to group, as far as possible, the sale of their lots in one and the same section, and this to the extent of fifty per cent.

Annexation  
contract  
ratified.

**18.** The contract of annexation entered into on the 11th of December, 1923, before George Michel Giroux, notary, at Quebec, under the number 850 of his records, between the city of Quebec and the municipality of Notre-Dame-des-Anges, represented by the Board of Management of the Quebec General Hospital, is declared valid to all intents and purposes, and the parcel of land in said contract described as follows:

Description  
of annexed  
territory.

"An area of land of irregular shape, bounded to the northwest by lot number 269 of the official cadastre of the parish of Charlesbourg; to the northeast, partly by lots numbers 418, 417, 416, 415, 414, 413 and 412 of the official cadastre of the parish of Saint-Roch North, and partly by the St. Michel stream as far as its junction with the river St. Charles, and by said latter river as far as Victoria Park; to the southeast by Victoria Park and river St. Charles; and to the southwest by lot number 2441 of the official cadastre of the parish of St. Sauveur, now Quebec-West; containing an area of three hundred and eighty-one arpents and seventy-five hundredths, French measure,"—

Annexation.

is annexed to the city of Quebec for all purposes whatsoever, as well municipal as school, the whole in accordance with the conditions of the contract.

Temporary  
loans in anti-  
cipation of  
arrears of  
taxes,  
authorized.

**19.** The city may, at any time and from time to time, make temporary loans, by means of Treasury bonds, of such sums as it may require in anticipation of the collection of all arrears of real estate taxes, dues or water rates; provided such loans be taken up and acquitted out of such arrears of real estate taxes, dues or water rates, when collected, and provided the amount of such temporary loans shall not exceed fifty per cent of such arrears.

Contribu-  
tion to con-  
struction of  
bridge over  
St. Charles  
River.

**20.** The amount of fifteen thousand dollars, which the city is authorized to borrow to contribute to the construction of the Scott bridge under the act 11 George V, chapter 110, section 25, may be used to contribute to the construction of a bridge over the St. Charles River, opposite the Marie de l'Incarnation street, in St. Malo ward, and this

over and above the fifteen thousand dollars which the city is authorized to borrow to contribute to the construction of this latter bridge under section 14 of the act 12 George V, chapter 104.

**21.** Section 5 of the act 7 Edward VII, chapter 62, is replaced by the following:

7 Ed., VII,  
c. 62, s. 5,  
replaced.

**"5. 1.** At the first meeting of the council of the city of Quebec, after the general election in the year 1926, and thenceforth, at the first meeting following each general election, the aldermen present shall appoint, as mayor of the city of Quebec, one of the aldermen being qualified for the office.

Mayor appointed by  
the council.

2. The clerk shall, as soon as the appointment of the mayor has been made, give notice to the person so appointed should he not have been present at the meeting.

Notice of appointment.

3. The vacancy in the office of alderman caused by the election of the mayor shall be filled in the same way as any other vacancy in the office of alderman.

Vacancy in  
office of alderman.

**22.** The mayor of the city in office on the 15th of March, 1924, shall remain in office until the election of his successor or his re-election, according to the above section 21, save the case of a vacancy from resignation or other cause.

Remaining  
in office of  
present  
mayor.

**23.** All provisions of the city charter and its amendments, incompatible with the above section 21, are amended in such way as to give full effect to same.

Provisions  
amended.

**24.** Paragraph 35 of article 36 of the act 29 Victoria, chapter 57, is amended by adding thereto the following words: "however, no other action, apart from the first, between the same parties, for damages resulting from the same cause, can be taken before the validity of the plaintiff's claim upon the first case has been finally decided by a final judgment. Nevertheless, the prescription of such claim shall only begin to run from the date of the final judgment in the first case."

29 Vict., c.  
57, s. 35, am.

Limitation  
of certain  
rights of action.

Prescription.

**25.** Section 21, section 22 and section 23 shall not come into force if, before the 1st of January, 1926, the council orders, by by-law, the holding of a referendum to know if the majority of the electors are of the opinion that the mayor should be elected by the municipal electors or by the council and if the majority of the electors shall have pronounced themselves in favour of the continuation of the present system of election of the mayor by the electors.

Proviso, as  
to coming  
into force of  
certain sections.

Coming into force. **26.** This act shall come into force on the day of its sanction.

## CHAP. 89

### An Act to amend the charter of the city of Levis

[Assented to, the 15th of March, 1924]

Preamble.

**W**HEREAS the city of Levis has, by its petition, presented that it is in the interest of the proper administration of its affairs that additional powers be granted it, and that its charter, the act 6 Edward VII, chapter 49, as amended by the acts 9 Edward VII, chapter 87; 6 George V, chapter 49; 9 George V, chapter 98, and 10 George V, chapter 89, be again amended; and

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

7 Geo. V, c. 85, s. 3, repealed.

**1.** Section 3 of the act 7 George V, chapter 85, is repealed.

R. S., 5373, as replaced for the city, repealed.

**2.** Article 5373 of the Revised Statutes, 1909, as replaced, for the city, by the act 9 George V, chapter 98, section 15, is repealed.

13 Geo. V, c. 65, s. 210, replaced for the city.  
Hours for polling.

**3.** Section 210 of the Cities and Towns' Act, 1922, is replaced, for the city, by the following:

**"210.** The poll shall be opened at the hour of eight of the clock in the forenoon and kept open until six of the clock in the afternoon of the same day; and each deputy returning-officer shall, during that time, in the polling-station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling-station; but, from eight o'clock until nine o'clock of the forenoon, and from five o'clock until six o'clock of the afternoon, workmen, artisans and employees in factories shall have precedence in voting. The council may, by by-law, fix a later hour than six o'clock, but not later than eight o'clock in the afternoon for the closing of the voting."

13 Geo. V, c. 65, s. 415, par. 8, replaced for the city.

**4.** Paragraph 8 of section 415 of the Cities and Towns' Act, 1922, is replaced, for the city, by the following: