

No. 92.

2nd Session, 6th Parliament, 22 Victoria, 1859.

(LOCAL BILL.)

BILL

**An Act to amend the several Acts respecting
the Corporation of the City of Quebec.**

Received and read, first time, Monday, 28th
Feby., 1859.

Second reading, Wednesday, 2nd March, 1859.

MR. LANGEVIN.

TORONTO:

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An Act to amend the several Acts respecting the Corporation of the City of Quebec.

WHEREAS the Mayor, Councillors, and citizens of the City of Quebec have, by their petition, represented that the present limits of the City of Quebec are too confined and that they ought to be extended, and that the several Acts for the Government of the said City ought to be amended; And whereas it is expedient to extend the said limits and amend the said Acts; Therefore Her Majesty, &c., enacts as follows :

I. From and after the passing of this Act the City of Quebec shall, over and above its present extent, comprehend all the ground lying between the present limits of the City and the following limits, that is to say : Commencing in deep water at the Commissioners' line for the Harbour of Quebec at the western limits of the actual City, to a point where the prolongation of the road known as Wolfe's Cove road would come, thence following the said prolongation and the said road to the road known as the Grand Allée road; thence eastward along the said Grand Allée road to the Belvidere road; thence along the said Belvidere road to the St. Foye road; thence in a straight line to the easterly angle of the St. Charles' Catholic Burying Ground; thence following the easterly line of said Burying Ground to Scott's Bridge; thence over Scott's Bridge on the north shore of the River St. Charles in a straight line to the first road running parallel to said river; thence eastward along said last mentioned road to its termination; thence in a straight line to a certain part of a little Bay where a piece of road terminates which leads to the Charlesbourg road, and along the said piece of road to the Charlesbourg road; thence following the said last road towards the City to the Beauport road; thence along the said last road to the limits of the Parish of St. Roch; thence in a straight line across the River St. Charles to the present limits of the City on the south shore of said river : And all quays, wharves, and other works erected or to be hereafter erected in the said river St. Lawrence, opposite to the said City, as so extended and adjacent thereto, although beyond low water mark in the said river, and extending as far as the Commissioners' line and beyond the same in case the said line should be hereafter extended shall be held and considered to be and shall be included within the limits of the said City.

Proposed new limits for the City.

II. The territory so annexed to the said city shall, after the passing of this Act, be distributed as follows, among the several wards of the city, that is to say : That part lying to the west of the Champlain Ward, and situated between the *Anse du Cap* and the Harbor Commissioners line shall form part of the said Ward; the part lying between the said *Anse du Cap* and the Ste. Foye Road and its prolongation, shall form part of Montcalm Ward; the part situated between the said Ste. Foye Road

Division of new territory among the different Wards.

and its prolongation and the summit (*haut*) of Coteau St. Geneviève or its prolongation, shall form part of St. John's Ward; the part situated between the prolongation of St. Joseph Street, in the St. Roch Suburb, and the Little River Road, on the one side, and the summit (*haut*) of the Coteau St. Geneviève and its prolongation, on the other side, shall form part of the Jacques Cartier Ward; and lastly, the part situated between the prolongation of St. Joseph Street in the St. Roch Suburbs and the Little River Road on the one side, and the northern limits of the said city on the other side, shall form part of the St. Roch's Ward: Provided always, that the Trustees of the Quebec Turnpike Road shall continue as heretofore to have the powers and obligations conferred or imposed upon them by law, with respect to those parts of the roads included in the new limits of the City of Quebec, upon which they now have toll-gates; and that if at any time the Corporation of the City of Quebec think proper to cause the said toll-gates to be placed at the new limits of the said city, then and in such case the said Corporation shall make such arrangements as may be agreed upon between the said Corporation and the said Trustees in respect thereto, and any sum of money paid by the said Corporation for that purpose shall be considered as being paid for the purchase of a real and immovable property, and shall be paid in conformity to the sixty-first section of the Act eighteen Vict., cap. one hundred and fifty-nine. Provided also, that the said Trustees shall continue to collect the same tolls on the Dorchester Bridge, and to have the same rights in respect thereof as they now enjoy; and the said Corporation, if they desire to purchase the said bridge or to make it free of toll, or otherwise to have the entire control thereof, may make such arrangements with the said Trustees in respect thereof as they may mutually consider reasonable, and if the said Corporation and Trustees cannot agree as to the compensation to be paid to the said Trustees, the matter shall be arranged in the manner prescribed by the Act incorporating the said city for the purchase of real property, when the said Corporation and the proprietors do not agree, and any sum of money paid for that purpose by the said city shall be considered as being paid for the purchase of a real or immovable property, and shall be paid in conformity with the said sixty-first section of the said Act eighteen Vict., cap. one hundred and fifty-nine: Provided always, that the roads and public highways forming the new limits of the said City of Quebec shall be included within the limits of the said city, and the Corporation of the said city may cause the line forming the limits of the said city to be traced even, where the said limits are not indicated by any by-road, front road or public highway, and may erect such boundary marks as they may think proper.

Proviso as regards arrangements to be made with Turnpike Road Trustees

As regards Dorchester Bridge.

Twenty-second Vic., cap. thirty, sec. eight amended

III. The words "twenty-sixth" and "twenty-seventh," in the eighth section of the Act twenty-second Victoria, chapter thirty, shall, from and after the passing of this Act, be replaced by the words following: The words "twenty-sixth" by the words "twenty-second," and the words "twenty-seventh" by the words "twenty-third."

Corporation may appeal from judgments of Recorder's Court.

IV. The Corporation of the City of Quebec shall have a right of appeal from the judgments of the Recorder's Court of the said city, when they deem themselves aggrieved by any such judgment or judgments, in the same manner as any other person may now appeal from the said judgments, and they shall be subject to the same formalities, anything in the eleventh section of the said Act, or in any other Act, for the government of the said city to the contrary notwithstanding.

V. The said Recorder's Court may seize and cause to be sold any real property, the property of any one who is or shall be indebted to the said Corporation, after judgment has been given against such person by the said Court : Provided always, that such seizures and sales shall not take
 5 place, unless the proceeds of the sale of the moveable property of the said debtor do not suffice to pay the said debts, and all the costs and other expenses incurred for the recovery thereof; and provided also, that the said seizures and sales of real property shall be made in the manner and subject to the formalities in use in the Superior Court for Lower
 10 Canada in cases of seizure and sale of immoveable property.

Recorder's Court may order sales of real estate.

VI. The said Corporation, incorporated under the name, style, and designation of the Mayor, Councillors, and citizens, of the City of Quebec, are hereby authorized, and it shall be lawful for them to consolidate their debt, and to borrow a sum of *seventy-five thousand pounds* currency,
 15 over and above any sum which they are authorized to borrow in virtue of the Acts for the government of the said city; but the said Corporation, so soon as they shall have borrowed the said sum, shall not thereafter be at liberty to contract any loan otherwise than by the issue of debentures, as provided by this Act, and other Acts for the govern-
 20 ment of the said city, and to the amount only provided for by the said Acts; Provided, nevertheless, that the said Corporation shall not thereby be deemed to be deprived of the right possessed by every Municipal Corporation, of taking advantage of the Municipal Loan Fund; Provided
 25 also, that nothing contained in this Act, or any Act for the government of the said City, shall prevent the Corporation from purchasing and acquiring all lots of land, or other real or immoveable property, or property considered as such, by any Act for the government of the said City, for the opening of new streets, lanes, squares, market-places, high-
 30 ways, or for other purposes of public utility; but before purchasing or acquiring any such property, the said Corporation shall conform themselves to the proviso of the sixty-first section of the Act eighteen Vict., cap. one hundred and fifty-nine.

Corporation may consolidate their debt by loan.

Proviso.

VII. After the passing of this Act it shall not be lawful for the Corporation of the said city, or for the Mayor, or for any committee of the
 35 said Corporation, to reduce the amount of any assesment due or payable to the said Corporation; but the Recorder's Court of the said city shall have exclusive jurisdiction in this respect, as provided by the Act twenty-two Vict., cap. thirty.

Assesment not to be reduced by Mayor or Council.

VIII. The second sub-section of the fifty-first section of the Act
 40 eighteen Vict., cap. one thousand eight hundred and fifty-nine, is hereby amended by adding the following words before the proviso: "And
 " also, on all houses of public entertainment, and on merchants and
 " dealers, and the agents of all such resorting to, or residing in the city,
 " to take or receive orders therein, or to sell therein, or buy according to
 45 " sample, contract, or agreement, or in any other manner or way what-
 " soever, and on all petty chapmen within the city; and on all agents,
 " managers, or keepers of theatres, circuses, or public entertainments,
 " exhibitions, or shows of any kind; on all agents of bankers or banks,
 " and the premises occupied by all such; on all forwarding merchants
 50 " or forwarders, and the agents of all such, and all premises occupied
 " by them; on all brokers and money changers, and the premises
 " occupied by them; on all agents of, or for any Insurance Company

Addition to Act eighteen Vict., cap. one hundred and fifty-nine, sec. fifty-one, paragraph two.

“ or Companies in the said city, and all premises occupied by such
 “ Insurance agent or agents of, or for any such company or companies
 “ in the said city ; on all agents of merchants residing in any other
 “ city or place in this said Province, or elsewhere ; on all Telegraph
 “ Companies, and the agents of all such in the said city ; on all traders 5
 “ and manufacturers, and the agents of all such ; on all brewers, distil-
 “ lers, soap or candle manufacturers ; on all camphene or other oil
 “ manufacturers ; on all root beer brewers, and the agents and agencies
 “ of any and all such ; on all brick manufacturers, and on the proprie-
 “ tors or keepers of wood yards ; on all proprietors and keepers of 10
 “ tanneries and slaughter houses in the city ; on all inspectors of pot or
 “ pearl ashes, of beef, pork, flour, butter, or other produce, articles or
 “ effects whatsoever, in the said city ; and generally on all trades,
 “ manufactures, or arts, which now are, or may hereafter be carried on,
 “ exercised, or in operation in the city ; on all persons by whom the 15
 “ same are or may be carried on, exercised, or put in operation therein,
 “ either on their own account, or as agents for others ; and on the
 “ premises wherein or whereon the same are or may be so carried
 “ on, exercised, or put in operation.”

Corporation
has power to
impose fines,
&c., in certain
cases.

IX. The said Corporation of the City of Quebec now has and always 20
 has had the power not only to impose fines and imprisonment or both
 in the cases mentioned in the Acts for the government of the said city,
 but moreover of leaving to the Recorder's Court, or to any other Court
 mentioned in the said Acts the care and duty of proportioning the pun-
 ishment to the gravity and frequency of the offence. 25

Council may
make By-laws
for internal
management.

X. The Council of the City of Quebec at any meeting or meetings
 of the said Council, at which meeting two-thirds at least of the mem-
 bers of the said Council are present, may make one or more by-laws for
 the internal management of the said Council, and the twenty-second sub-
 section of the fifty-first section of the said last cited Act shall apply to 30
 each and every of the said by-laws.

Certain pow-
ers exercised
not to effect
election of
Mayor or
Councillor
exercising
them.

XI. During each day of the voting of the municipal electors of the
 City of Quebec for the election of the Mayor, or of one or more or of
 all the Councillors, or of the Mayor and of one or more or all the Coun-
 cillors of the said city, the Mayor, and in his absence from the place of 35
 voting, any Councillor appointed by the Mayor to take his place at the
 said place of voting, shall have all the rights and powers mentioned in
 the twenty-fifth section of the said last Act, and any act of the said
 Mayor or Councillor, in virtue of this section, or of the said twenty-fifth
 section above referred to, shall not have the effect of preventing the 40
 said Mayor or Councillor from being elected Mayor or Councillor at such
 election.

Corporation
may order cen-
sus to be made
by assessors.

XII. The said Council has and shall have power by any By-law
 passed for that purpose, in the ordinary form, at least two-thirds of the
 members of the said Council being present, to order that the assessors 45
 appointed by the said Council shall annually and at the same time as
 they make the assessment of the properties, make a census of the pop-
 ulation of the said city, and the assessors shall be bound to conform
 themselves to the said order, subject to the penalties imposed as regards
 the execution of their other duties. 50

XIII. The Mayor of the said city is and always has been a member of the said Council. Mayor a member of the Council.

XIV. This Act shall be deemed a public Act. Public Act.