



CHAPTER 136

An Act to incorporate the town of Duparquet

[Assented to, the 13th of April, 1933]

WHEREAS Clarke B. Davis, manager, of Iroquois Falls, Preamble, Ontario; John Murdoch, contractor, Chicoutimi; Rodolphe E. Joron, civil engineer, Chicoutimi; Joseph Adolphe Beauchemin, Amos, Province of Quebec, have, by their petition, represented:

That for a few years a great number of persons have obtained mining concessions in the township of Duparquet, Abitibi county, and are and will continue operating the mines situated in that territory;

That the works in course of execution in the said township and the working of the plants and factories to be erected there will create a considerable influx of people to the territory described in section 2 of this act;

That a great number of persons will be obliged to reside in that territory as owners, lessees, occupiers of mines and quarries;

That a large portion of such territory will be subdivided into building lots; that dwellings, churches, schools and other buildings will be erected there; that waterworks, lighting and drainage systems will be installed, and that all other public services required to make of the proposed municipality a modern town and to assure the welfare of its inhabitants will be established there;

That it is therefore desirable to erect the territory in question into a town municipality;

Whereas a prayer to that effect is contained in the said petition; and

Whereas it is expedient to grant the prayer of the petitioners;

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

Short title. **1.** This act may be cited as "Charter of the town of Duparquet".

Territory of town. **2.** The town of Duparquet shall comprise the following territory: All that portion of the territory contained in ranges 5 and 6 of the township of Duparquet, bounded on the north by the south line of range 7, on the east by the extension of the dividing line of lots 37 and 38 of range 7, towards the south as far as range 4; on the south by the northern boundary of range 4 and its extension; towards the west until it meets the western boundary of lake Duparquet; on the southwest and west by that part of the western boundary of lake Duparquet comprised between the southern boundary above described, and the meeting further north of the western boundary of lake Duparquet with the eastern boundary of the township of Hebecourt, and the eastern boundary of the township of Hebecourt as far as range 7.

Incorporation. **3.** The inhabitants and ratepayers of the territory mentioned in section 2, as well as all those who may join or succeed to them, are incorporated as a town under the name of "town of Duparquet".

Provisions applicable to corporation. **4.** The corporation shall be governed by the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), with the exception of such sections and cases as are specially derogated from by this act or by the inconsistent provisions it may contain.

One ward only. **5.** The town shall comprise but one ward until the first general election; it may afterwards be divided into several wards according to law.

R. S., c. 102, s. 47, replaced for town. **6.** Section 47 of the said Cities and Towns' Act, is replaced, for the town, by the following:

Council **"47.** The municipal council shall be composed of a mayor and four aldermen elected for the period and in the manner hereinafter prescribed."

Retarding of application of certain provisions: **7.** Sections 48 and 49 of the said act shall not apply to the town of Duparquet up to the first juridical day of February, 1936, and, during said period, the following provisions shall apply to the said town:

"a. The following persons: A. J. Keast, mining engineer and mine manager, of Duparquet; Clarke B. Davis, manager, Iroquois Falls, Ontario; John Murdoch, contractor, Joseph Adolphe Beauchemin, and Louis Thiesen, of Duparquet, and their successor or successors as herein provided for, will be the members of the municipal council of the town of Duparquet up to the first juridical day of February, 1936; Provisions applicable;

b. At the first meeting of the said municipal council the petitioners composing the said municipal council will choose amongst themselves one who will discharge the functions of mayor for said period, to wit up to the first juridical day of February, 1936; Members of council;

c. During the said period the members of the council shall not be obliged to reside within the limits of the municipality; Choosing of mayor;

d. If, during said period the office of mayor becomes vacant or if any vacancy occur in the office of alderman, the municipal council, by resolution, shall fill the vacancy in the office of mayor or alderman, as the case may be. The person so chosen to act as mayor or alderman shall not be obliged to reside within the limits of the municipality; Vacancy in office of mayor or alderman;

e. After the expiration of the said period the election of the mayor and of the aldermen shall be held according to the said Cities and Towns' Act." Future elections.

8. Section 22 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 22, replaced for town.

"**22.** The council shall hold its first meeting at the time and place appointed by the Minister of Municipal Affairs. Council's first meeting.

Until the mayor is appointed by the council, such meeting until the mayor is elected and sworn, shall be presided over by an alderman chosen from among the aldermen present." Alderman as president.

9. Section 63 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 63, replaced for town.

"**63.** The mayor and the aldermen shall take the oath of office during the delay fixed by the Minister of Municipal Affairs. Oath of office.

Nevertheless, without prejudice to the costs of any judicial proceedings taken against him, the mayor or alderman who has so neglected to take the oath within the prescribed delay may, so long as the vacancy that has arisen through his negligence is not filled, and upon taking the required oath, resume and exercise his functions." Power to resume functions.

Property qualifications to hold municipal office.

10. For the purposes of the first election which will be held on the first juridical day of February, 1936, every proprietor of an immoveable in the town, whose titles have been registered on or before the twentieth day preceding that fixed for the nomination of candidates for the offices of mayor or aldermen, shall possess the necessary property qualifications to hold municipal office.

Nomination of candidates.

11. Six electors entitled to vote at the first general election may nominate a candidate for the office of mayor and candidates for the office of alderman, by signing a nomination paper in accordance with sections 182 and following of the said Cities and Towns' Act.

Application of certain provisions.

12. The first paragraph of section 106 of the said Cities and Towns' Act shall not apply to the town of Duparquet until the first juridical day of February, 1936, and during that period the following provision shall apply:

One assessor.

"The council shall appoint every year at least one assessor."

R. S., c. 102, s. 117, replaced for town.

13. Section 117 of the said act is replaced, for the town, by the following:

Dismissal of manager upon resolution.

"**117.** After the first juridical day of February, 1936, the council may, without notice, dismiss its manager by resolution adopted by the absolute majority of its members. Such resolution must be published in the same manner as are public notices in the municipality.

When dismissal effective.

Such dismissal of the manager shall, however, take effect immediately upon the adoption of the resolution of dismissal, and the council shall proceed forthwith to the appointment of a new manager."

R. S., c. 102, s. 128, am. for town.

14. Section 128 of the said act is amended, for the town, by adding thereto, after paragraph *a* of subsection 1 thereof, the following:

Companies, etc., as voters.

"Companies or corporations may be entered on the electoral lists by reason of the immoveables, held by each of them respectively and subject to general or special assessment of a sufficient valuation to confer the right to vote upon a municipal elector, and shall be entitled to vote in their names through a representative of the company, authorized to that effect by resolution, a copy whereof shall be filed with the clerk of the town on or before the day for the nomination of candidates, in the case of the election of mayor or aldermen, and seven days before the polling in the case of a by-law that has to be submitted to the electors

who are proprietors. They may exact the right to vote at the election of aldermen in every ward in which they pay taxes, provided their representative is a director or employee of the company."

15. Sections 342 and 344 of the said act shall not apply to the town of Duparquet until the first juridical day of February, 1936. Application of certain provisions.

16. Section 456 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 456, replaced for town.

"456. The council shall have all the necessary powers for the establishment and management of a system of lighting by gas, electricity or otherwise for the requirements of the public and of private individuals or corporations desiring to light their houses, buildings or establishments, with the exception of the mining operations of the Beattie Gold Mines, Limited, its corporate successors and attendant industries." Power to establish, etc., lighting system. Restriction.

17. Section 464 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 464, replaced for town.

"464. The council shall have all the powers necessary for the establishment and administration of any system or systems of heating and power development by means of gas, electricity, or otherwise for the use of the public or private persons or corporations desiring to make use thereof in their houses, buildings or establishments other than the mining operations of the Beattie Gold Mines, Limited, its corporate successors and their attendant industries." Establishing, etc., of heating, etc. systems. Restriction.

18. Section 488 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 488, replaced for town.

"488. All immoveable property in the town of Duparquet, belonging to the Beattie Gold Mines, Limited, or to the corporations which succeed to it, or to any of its subsidiary companies, including therein buildings, workshops and the machinery in, on or under the mining lands now held or leased, or which may hereafter be held or leased in the town of Duparquet, and employed principally for extracting ore from the ground, or storing it or treating it, as well as concentrators, testing equipment, and all improvements which may be made thereto, and the minerals in, on or under such lands, shall be valued at the sum of four hundred thousand dollars, and the taxes which may be levied on the above described property shall not exceed: Valuation of immoveables of Beattie Gold Mines, Limited.

one thousand five hundred dollars for the year 1933; two thousand dollars per year for the years 1934, 1935 and 1936; two thousand five hundred dollars for the year 1937; three thousand dollars per year for the years 1938, 1939 and 1940.

Remaining territory of town.

With respect to the remainder of the territory of the town of Duparquet, the actual value of the taxable real estate in the municipality shall comprise the value of lands and that of constructions, workshops and machinery and their accessories thereon erected and that of all the improvements made thereto. The tramway and the right of way for the said tramway belonging to the Beattie Mining Company, and the transmission lines and right of passage for the same erected by the Beattie Gold Mines, Limited, shall be deemed, for purposes of taxation, as part of the property which is described and valued hereinabove at the sum of four hundred thousand dollars.

Buildings assessable.

All buildings used for hotel accomodation or as workmen's lodgings, the property of the company, shall be assessable."

Voting on by-laws by companies, etc.

19. Until the first juridical day of February, 1936, when a by-law has to be submitted to the electors who are proprietors, companies or corporations shall also be entitled to vote once on such by-law through their representative, being a director or employee of the company, authorized as aforesaid, and, in such case, a copy of the resolution appointing such representative shall be filed with the clerk of the town.

R. S., c. 102, s. 522, replaced for town.

20. Section 522 of the said act is replaced, for the town, by the following:

Valuation of uncleared lands, etc.

"522. For ten years to come, all uncleared lands, wood lots, lands under mining concession and all the lands not subdivided into building lots within the municipality shall be valued at not more than two dollars per acre.

Additions to valuation roll in certain event.

The council may cause to be added to the valuation roll, from time to time, by the assessors in office, on the valuation by them made, any portion of such land, which has been detached therefrom as a building lot and shall thus have become liable to taxation after the closing of the valuation roll, and may exact the said tax as upon all other lots entered on the roll."

Approval for water, etc., plans.

21. The town shall submit to the Director of the Provincial Bureau of Health, for his approval, the water and sewerage plans, as well as its general plans for parks and amusement grounds in relation to its industry.

22. All costs, fees and disbursements whatever, incurred for the passing of this act, shall be paid by the town of Duparquet as an ordinary debt incurred in the public interest. Costs of act.

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