



CHAPTER 137

An Act to incorporate the town of Val St. Michel

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

WHEREAS Charles Cantin, gentleman; Ludger Cantin, Preamble.
manufacturer; Wilfrid Ruel, printer; Louis Amédée Doyer, broker; Leo Dugal, merchant; Louis Saillant, merchant; Joseph A. Royer, trader, and J. A. Rodrigue, manufacturer, have, by their petition, represented:

That a large number of families of the city of Quebec and elsewhere own properties in that portion of the territory of the municipality of St. Gérard Majella, county of Quebec, known, as a summer resort, under the name of Val St. Michel;

That the large majority of such families spend the summer season at such place, and others stay there longer;

That the municipal administration no longer suffices for their needs and it has become necessary to take more ample measures for the administration of the said territory;

That it is in the public interest that the territory described in section 3 of this act be constituted a town corporation under the name of "Val St. Michel", in conformity with the provisions of the Cities and Towns' Act; and

Whereas it is expedient to grant the prayer to that effect contained in 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:

1. This act may be cited as the "Charter of the town of Short title.
Val St. Michel".

Incorporation.

2. The inhabitants and ratepayers of the territory comprised within the boundaries hereinafter described, as well as those who may hereafter join them or succeed to them, are hereby constituted a town corporation under the name of "town of Val St. Michel".

Name.

Territory of town.

3. The town of Val St. Michel shall comprise the territory hereinafter described, each property being designated by the cadastral number of the parish of St. Gérard Majella, comprised in the official cadastre of the parish of St. Ambroise de la Jeune Lorette, county of Quebec: starting at the point of intersection of the south side of the public road with the southern boundary of lots Nos. 401-402 and following the south side of the said road towards the northeast as far as the line of lots Nos. 299-300; thence, towards the southwest, following such dividing line on a length of three arpents; thence, towards the northwest, as far as the dividing line of lots Nos. 301-302; thence, towards the northeast, following such dividing line on a length of one arpent; thence, towards the northwest, as far as the dividing line of lots Nos. 302-303; thence, towards the southwest, following such dividing line on a length of three arpents; thence, towards the northwest, as far as the dividing line of lots Nos. 303-304; thence, towards the southwest, following such dividing line as far as its southwestern extremity (to the road called *de la Montagne*), that is to say the dividing line between the first and the tenth concession; thence, towards the northwest, following such dividing line as far as the dividing line between lots Nos. 305-306; thence, towards the northeast, following the dividing line of lots Nos. 305-306 as far as its intersection with the public road, that is to say, the dividing line between the first and second concession of St. Michel; thence, towards the northwest, as far as the dividing line between lots Nos. 306-307; thence, towards the southwest, following such dividing line as far as the dividing line between the first and the tenth concession; thence, towards the northwest, following such dividing line as far as the dividing line between lots Nos. 311-312; thence, towards the northeast, following such dividing line on a length of ten arpents; thence, towards the northwest, as far as the dividing line of lots Nos. 312-313; thence, towards the southwest, following such dividing line as far as the dividing line between the first and the tenth concession; thence, towards the northwest, following such dividing line as far as the dividing line between lots Nos. 316-318; thence, towards the northeast, following such dividing line as far as the *Petite Rivière*, that is to say, a distance of

fifteen arpents five perches; thence, towards the northwest, following the said river as far as the dividing line of lots Nos. 318-319; thence, towards the southwest, following such dividing line as far as the dividing line between the first and the tenth concession; thence, towards the northwest, following such dividing line and its extension between the first and the eleventh concession as far as the dividing line between lots Nos. 327-328; thence, towards the northeast, following such dividing line as far as its intersection with the public road (*Grand Désert*); thence, towards the northwest, following the southwest side of the said road on a length of 410 feet (northwestern boundary of the town); thence, towards the east, on a length of 250 feet; thence, towards the southwest, as far as its intersection with the northeast side of the public road, that is to say, a length of one hundred and seventy-five feet; thence, towards the southeast, following the northeast side of the public road as far as the dividing line of lots Nos. 327-328; thence, towards the northeast, following such dividing line as far as the dividing line between the first and the second concession; thence, towards the southeast, following such dividing line of the concessions I and II as far as the dividing line between lots Nos. 374-375; thence, towards the northeast, following such dividing line on a length of two arpents; thence, towards the southeast, as far as the dividing line between lots Nos. 376-377; thence, towards the southeast, following the *Grand Désert* river as far as the dividing line between lots Nos. 377-378; thence, towards the southwest, as far as the northeast side of the public road; thence, towards the southeast, following the said southeast side of the public road as far as the dividing line between lots Nos. 388-390; thence, towards the northeast, following such dividing line on a length of two arpents; thence, towards the southeast, on a length of one-half an arpent; thence, towards the southwest, on a length of two arpents as far as the northeast side of the public road; thence, towards the southeast, following the said northeast side of the public road as far as the dividing line between lots Nos. 396-397; thence, towards the northeast, following such dividing line as far as the *Grand Désert* river and following such river as far as the dividing line between lots Nos. 401-402; thence, towards the southwest, following such dividing line as far as the southwest side of the public road, the starting point.

All the territory thus described and on which there are fifty dwellings, a chapel, a school and a railway station, ^{Area of territory.} has an area of one thousand two hundred and fifty arpents, more or less.

Provisions applicable to corporation. **4.** The corporation constituted by this act shall be governed by the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), with the exception of such sections of this act as may derogate therefrom.

One ward. **5.** The municipality shall consist of a single ward.

R. S., c. 102, s. 47, replaced for town. **6.** Section 47 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the town, by the following:

Composition of council. **"47.** The municipal council shall be composed of a mayor and of six aldermen elected in the manner hereinafter described."

When certain provision to apply to town. **7.** Section 48 of the said act shall not apply to the town of Val St. Michel until the first juridical Tuesday of August, 1935.

R. S., c. 102, s. 49, replaced for town. **8.** Section 49 of the said act is replaced, for the town, by the following:

Election, etc., of aldermen. **"49.** The aldermen shall be elected, for the same period, by the majority of the municipal electors of the municipality who have voted."

Provisions not applicable to town. **9.** Paragraph 2 of section 60 of the said act, as amended by the act 19 George V, chapter 35, section 1, and paragraph 8 of section 123 of the said act, as amended by the acts 18 George V, chapter 37, section 1, and 20 George V, chapter 47, section 4, shall not apply to the town.

R. S., c. 102, s. 122, replaced for town. **10.** Section 122 of the said act is replaced, for the town, by the following:

General qualification. **"122.** Every person of the male sex, residing in the Province of Quebec, not declared disqualified by law, may hold any municipal office."

Provisions not applicable to town. **11.** Sections 130, 132, 137, 140, 157 and 183 of the said act shall not apply to the town.

Place of voting. **12.** Voting shall take place at a single place within the limits of the town, such place to be designated by resolution of the council or, in its default, by the returning-officer.

R. S., c. 102, s. 173, replaced for town. **13.** Section 173 of the said act is replaced, for the town, by the following:

“173. The general election for mayor and aldermen shall be held every two years, on the first juridical Tuesday of August, in accordance with the provisions hereinafter contained.

Date of general elections.

The Lieutenant-Governor in Council may, by letters patent, upon the application of the council of the municipality concerned, change the date for the elections.

Change by letters patent.

The proceedings and notices for such application shall, as far as possible, be the same as those required for obtaining letters patent under sections 12 and following of this act.

Proceedings, etc.

Notice of such change must be published in the *Quebec Official Gazette* and in the volume of the statutes passed at the then next session of the Legislature.”

Notice.

14. Section 175 of the said act, as amended by the act 21 George V, chapter 55, section 1, is replaced, for the town, by the following:

R. S., c. 102, s. 175, replaced for town.

“175. Eight days at least before the last Tuesday of July, at noon, in the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form 5, shall appoint an election clerk, and may, at any time during the election, appoint in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk.”

Appointment of election clerk.

15. Section 179 of the said act, as amended by the act 21 George V, chapter 55, section 2, is replaced, for the town, by the following:

R. S., c. 102, s. 179, replaced for town.

“179. Eight days at least before the last Tuesday of July in the year in which a general election is to be held, the returning-officer shall give public notice, in the form 7, over his signature, setting forth:

Notice of election to be given by returning-officer.

1. The place, day, and hour fixed for the nomination of candidates;

2. The day on which the poll for taking the votes of the electors will be held in case a poll is necessary;

3. The appointment of the election clerk.”

16. Section 181 of the said act, as amended by the act 21 George V, chapter 55, section 3, is replaced, for the town, by the following:

R. S., c. 102, s. 181, replaced for town.

“181. The nomination of candidates at a general election shall be held on the last Tuesday of July from eight

Date of nomination.

o'clock to ten o'clock in the evening. If such day be a holiday it shall be held on the first juridical day following such date, and during the same hours."

R. S., c. 102,
s. 210, re-
placed for
town.

17. Section 210 of the said act is replaced, for the town, by the following:

Hours for
polling.

"**210.** The polling-station shall be opened from four o'clock in the afternoon until ten o'clock in the evening of the same day and the returning-officer shall, during that time, in such polling-station, receive, in the manner herein-after prescribed, the votes of the electors duly qualified to vote in the municipality."

R. S. c. 102,
s. 220, re-
placed for
town.

18. Section 220 of the said act is replaced, for the town, by the following:

Calling
upon elect-
ors to vote.

"**220.** Immediately after the ballot-box is locked as above mentioned, the returning-officer, at four o'clock exactly, shall call upon the electors to vote.

Voters not
to be im-
peded.

The returning-officer shall secure the admittance of every elector into the polling-station, and shall see that he is not impeded or molested in or about the polling-station."

R. S., c. 102,
s. 240, re-
placed for
town.

19. Section 240 of the said act is replaced, for the town, by the following:

Close of
poll.

"**240.** 1. At ten o'clock in the evening the poll and the voting shall be closed; and an entry thereof shall be made in the poll-book.

Counting
the ballot-
papers.

2. Immediately after the close of the poll the returning-officer shall first place all the spoiled ballots in an envelope and seal it up. He shall then count the number of voters whose names appear on the poll-book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "*The number of voters at this election in the polling-station is (stating the number at length)*", and he shall sign his name thereto. Then, in the presence and in full view of the poll-clerk and the candidates or their agents—or, if the candidates and their agents or any of them be absent, then in the presence of such, if any, of them as are present and of at least three electors,—he shall open the ballot-box and proceed to count the number of votes given for each candidate. Each person present shall have the right to examine each ballot.

Ballot-
papers
rejected.

3. In counting the votes, the returning-officer shall reject:

a. every ballot-paper which has not been supplied by him;

b. every ballot-paper upon which appears more than one vote;

c. every ballot-paper upon which there is any writing or mark by which the voter could be identified, other than the numbering by the returning-officer in the cases hereinafter provided for;

d. every ballot-paper left in blank or null owing to the intention of the voter not being clearly shown;

e. every ballot-paper which does not have his initials thereon, saving the case of section 241."

20. Saving the months of July and August, the council may sit in the city of Quebec, at a place which may be fixed by resolution of the said council. Sittings of the council.

21. From and after the coming into force of this act, the following persons shall constitute the provisional municipal council of the town of Val St. Michel: Charles Cantin, gentleman, shall be mayor; Ludger Cantin, manufacturer; Léo Dugal, merchant; Wilfrid Ruel, printer; J. A. Rodrigue, manufacturer; J. A. Royer, trader, and Louis Saillant, merchant, shall be aldermen and constitute the provisional municipal council of the town Val St. Michel. Provisional municipal council.

The said provisional council shall remain in office until the first general election which shall be held on the first juridical Tuesday of August, 1935. Term of office.

At the expiration of such period, the election of the mayor and aldermen shall be made according to the said Cities and Towns' Act. If, during such period, the office of mayor become vacant, or if there occur any vacancy in the office of alderman, the municipal council, by resolution, shall fill such vacancy, in the office of mayor or in that of alderman, as the case may be. The person thus chosen to carry out the duties of mayor or those of alderman shall not be obliged to reside within the boundaries of the town of Val St. Michel, but he must have a residence therein in addition to the ordinary qualification. Subsequent elections.

The aldermen and the mayor must have a residence, in addition to the ordinary qualification, in the town of Val St. Michel, but it shall not be necessary that they be domiciled therein. Vacancy in office of mayor or alderman.

22. The town shall be bound to pay its share of the present debts of the corporation of the parish of St. Gérard Magella, in proportion to the present valuation of the immoveables detached from the said parish, according to the present value, as stated in the valuation roll in force Qualifications of mayor and aldermen.

in the municipality at the coming into force of this act, and the settlement of the said debt between the parties shall be made according to the provisions of Articles 50 and following of the Municipal Code of Quebec.

Procedure
for dis-
charging of
debt.

The said town shall have the right, nevertheless, at all times, to free itself forever from the said debt by paying to the corporation of the municipality of St. Gérard Majella the capital of its share and all arrears of interest then due.

Payment
into sinking-
fund.

The portion of the capital thus paid by the town shall be paid into the sinking-fund for the reimbursement of the said debts.

Approval.

Every such settlement of debts shall require to be approved by the Minister of Municipal Affairs.

Payment of
costs, etc.

23. The costs, fees and all disbursements incurred in connection with the erection of the said territory as a town shall be paid by the town of Val St. Michel as an ordinary debt incurred in the public interest.

Coming into
force.

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