



CHAPTER 79

An Act to incorporate the Town of Noranda

[Assented to, the 11th of March, 1926]

WHEREAS Noranda Mines Limited; James Young Murdoch, barrister-at-law, Toronto; Samuel Clifton Thomson, mining engineer, New York; Humphrey Wallingford Chadbourne, mining engineer, New York; Louis Kenneth Fletcher, mining engineer, Rouyn, Province of Quebec; Len Hill, contractor, New Liskeard, Province of Ontario; Ernest Hibbert, mines manager, Rouyn, 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 Rouyn, Temiscamingue county, and are and will continue to operate the mines situated in that territory;

That the works in course of execution in 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, which is under the control of the Noranda Mines Limited;

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 Noranda".

Limits of town. **2.** The Town of Noranda shall comprise the following territory, situated in the township of Rouyn, Temiscamingue county:

Lot 1 described as follows: Commencing where the post number one (1) of this claim—already staked—stands at a point distant one hundred and seventy-four chains and eighty-two links (174.82) measured on bearing south forty-eight degrees and forty-seven minutes east (S. $48^{\circ} 47' E.$) from brass plate bearing number II, established in 1923 by surveyor J. P. Gastonguay on the eastern shore of lake Héré; thence, from post to post: S. $3^{\circ} 17' W.$ —39.85 chs; S. $85^{\circ} 57' W.$ —47.85 chs; N. $9^{\circ} 09' E.$ —38.35 chs; N. $83^{\circ} 17' E.$ —21.49 chs; N. $82^{\circ} 54' E.$ —22.78 chs., to the place of commencement, the whole, more or less, and the foregoing courses being astronomical;

Lot 2 described as follows: Commencing where post number one (1) of this claim—already staked—stands at a point distant 157.24 chs. measured on bearing S. $62^{\circ} 39' E.$ from brass plate bearing number XI, established on the eastern shore of lake Héré; thence, successively from post to post: S. $6^{\circ} 54' W.$ —27.71 chs; S. $17^{\circ} 23' W.$ —16.15 chs.; S. $82^{\circ} 54' W.$ —22.78 chs.; N. $7^{\circ} 13' W.$ —42.57 chs. and N. $84^{\circ} 28' E.$ —36.28 chs., to the place of commencement, the whole, more or less, and the foregoing courses being astronomical;

Lot 3 described as follows: Commencing where post number one (1) of this claim—already staked—stands at a point distant 128.27 chs. measured on bearing S. $55^{\circ} 50' E.$ from brass plate bearing number XI, established on the eastern shore of lake Héré; thence successively, from post to post: S. $7^{\circ} 13' E.$ —42.57 chs.; S. $83^{\circ} 17' W.$ —21.49 chs.; S. $82^{\circ} 47' W.$ —24.29 chs.; N. $7^{\circ} 23' W.$ —31.21 chs.; N. $65^{\circ} 16' E.$ —30.82 chs. and N. $76^{\circ} 09' E.$ —16.61 chs., to the place of commencement; the whole, more or less, and the foregoing courses being astronomical;

Lot 13 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 16.92 chs. measured on bearing N. $12^{\circ} 23' E.$ from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of lake Tremoy (Osisko), S. $2^{\circ} 39' E.$ —14.79 chs. to the second post; thence, from post to post: S. $4^{\circ} 07' E.$ —4.42 chs.;

S.4°07'E.—5.00 chs.; S. 89°10'W.—43.05 chs.; N. 15°17'E.—4.00 chs.; N.27°07'E.—16.96 chs. and, N.79°56'E.—33.42 chs., to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 14 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 67.55 chs. measured on bearing N. 11°48'E. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 14°00'E.—3.00 chs. to the second post, thence, from post to post: S. 14°00'E.—7.56 chs.; S. 14°00'E.—20.05 chs.; S. 81°54'W.—11.70 chs.; S. 81°54'W.—14.33 chs.; N. 1°52'W.—30.02 chs. and, N. 80°00'E.—19.74 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical.

Lot 15 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 56.82 chs. measured on bearing N.5°42'W. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 2°28'E.—23.87 chs. to the second post; thence, from post to post: S. 74°49'W.—24.77 chs.; N. 3°33'W.—34.21 chs. and, S. 81°19'E.—25.39 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 16 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 75.18 chs. measured on bearing N. 23°02'W. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 8°42'W.—8.93 chs. to the second post; thence, from post to post: S. 0°51'W.—9.42 chs.; S. 77°12'W.—10.37 chs.; N. 15°57'W.—17.31 chs. and, N. 76°38'E.—16.80 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 17 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 59.57 chs. measured on bearing N. 31°15'W. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 5°19'E.—24.83 chs. to the second post; thence, from post to post: N. 83°31'W.—18.34 chs.; N. 16°32'E.—20.95 chs. and N. 77°12'E.—10.37 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 18 described as follows: Commencing where post number one of this mining claim—already staked—stands

at a point distant 38.80 chs. measured on bearing N. $47^{\circ}30'W$. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. $2^{\circ}22'W$.—15.54 chs. to the second post; thence, from post to post: S. $37^{\circ}07'W$.—16.86 chs. and, N. $15^{\circ}17'E$.—31.75 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 20 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 59.87 chs. measured on bearing N. $5^{\circ}02'W$. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. $1^{\circ}52'E$.—27.02 chs. to the second post; thence, from post to post: N. $2^{\circ}28'W$.—28.87 chs. and, N. $2^{\circ}43'E$.—3.17 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 21 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 38.80 chs. measured on bearing N. $47^{\circ}30'W$. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), N. $88^{\circ}07'W$.—37.98 chs. to the second post; thence, from post to post: N. $87^{\circ}37'E$.—19.74 chs. and, S. $83^{\circ}31'E$.—18.34 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 22 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 70.89 chs. measured on bearing N. $69^{\circ}47'W$. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. $6^{\circ}04'W$.—41.12 chs. to the second post; thence, from post to post: S. $10^{\circ}42'W$.—14.55 chs.; N. $3^{\circ}17'E$.—39.85 chs. and, N. $17^{\circ}23'E$.—16.14 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 23 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 36.05 chs. measured on bearing N. $15^{\circ}22'E$. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. $77^{\circ}27'W$.—39.10 chs. to the second post; thence, from post to post: N. $74^{\circ}49'E$.—24.77 chs. and, N. $81^{\circ}54'E$.—14.33 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 24 described as follows: Commencing where post

number one of this mining claim—already staked—stands at a point distant 67.74 chs. measured on bearing N. 27°00' W. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 3°33' E.—34.21 chs. to the second post; thence, from post to post: N. 5°19' W.—34.83 chs. and N. 0°51' E.—9.42 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 25 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 36.05 chs. measured on bearing N. 15°22' E. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 17°59' W.—19.12 chs. to the second post; thence, from post to post: S. 79°56' W.—33.42 chs.; N. 2°22' E.—15.54 chs. and N. 77°27' E.—39.10 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 26 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 38.80 chs., measured on bearing N. 47°30' W. from brass plate bearing No. 26, established by surveyor J. P. Gastonguay in 1923, on the west shore of Lake Tremoy (Osisko), S. 15°17' W.—31.75 chs. to the second post; thence, from post to post: S. 15°17' W.—9.18 chs.; S. 89°39' W.—31.52 chs.; N. 6°04' E.—41.12 chs. and S. 88°07' E.—37.98 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 53 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 79.76 chs. measured on bearing N. 35°01' W. from brass plate bearing No. 26, established in 1923, by surveyor J. P. Gastonguay, on the west shore of Lake Tremoy (Osisko), S. 15°57' E.—17.31 chs. to the second post; thence, from post to post: S. 16°32' W.—20.95 chs.; S. 87°37' W.—19.74 chs.; N. 6°54' E.—27.71 chs.; N. 13°16' E.—3.35 chs. and, N. 73°16' E.—17.08 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 62 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 65.59 chs. measured on bearing S. 47°48' E. from brass plate bearing No. II, established in 1923, by surveyor J. P. Gastonguay, on the eastern shore of Lake Héré, S. 12°25' E.—49.22 chs. to the second post; thence, from post to post: S. 81°56' W.—39.39 chs.; N. 9°51' W.—50.87 chs. and, N. 83°57' E.—36.98 chs. to post number one

above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 63 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 109.50 chs. measured on bearing S. $32^{\circ}43'E$. from brass plate bearing No. II, established in 1923, by surveyor J. P. Gastonguay, on the eastern shore of Lake Héré, S. $7^{\circ}23'E$.—31.21 chs. to the second post; thence, from post to post: S. $86^{\circ}07'W$.—28.72 chs.; N. $27^{\circ}39'W$.—30.94 chs. and, N. $81^{\circ}56'$ —39.39 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 64 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 128.30 chs., measured on bearing N. $43^{\circ}51'W$. from brass plate bearing No. 26, established in 1923 by surveyor J. P. Gastonguay, on the west shore of Lake Tremoy (Osisko), S. $15^{\circ}19'E$.—40.24 chs. to the second post; thence, from post to post: S. $84^{\circ}28'W$.—30.32 chs.; S. $76^{\circ}09'W$.—16.61 chs.; N. $13^{\circ}25'W$.—42.75 chs. and N. $84^{\circ}55'E$.—35.79 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical;

Lot 65 described as follows: Commencing where post number one of this mining claim—already staked—stands at a point distant 132.83 chs., measured on bearing N. $34^{\circ}45'W$. from brass plate bearing No. 26, established in 1923 by surveyor J. P. Gastonguay on the west shore of Lake Tremoy (Osisko), S. $15^{\circ}34'E$.—50.42 chs. to the second post; thence, from post to post: S. $5^{\circ}56'W$.—5.36 chs.; S. $84^{\circ}28'W$.—15.66 chs.; N. $15^{\circ}19'W$.—40.24 chs.; N. $9^{\circ}12'W$.—10.94 chs. and, N. $68^{\circ}51'E$.—16.11 chs. to post number one above mentioned; the whole, more or less, and the foregoing courses being astronomical.

Incorporation.

Name.

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 Noranda".

Provisions applicable.

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

Division in wards.

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

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

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

7. Sections 48 and 49 of the said Cities and Towns' Act shall not apply to the Town of Noranda up to the first judicial day of February, 1929, and, during said period, the following provisions shall apply to the said town: Provisions applicable.

"a. The following persons: James Young Murdoch, advocate, Toronto; Ernest Hibbert, mines manager, Rouyn; Raymond Allan, secretary, Montreal; Joseph Copeman, statistician, Montreal; John Charles Burgess, accountant, Montreal, and their successor or successors as herein provided for, will be the members of the municipal council of the Town of Noranda up to the first juridical day of February, 1929; Members of council.

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, 1929; Mayor.

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

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

8. Section 22 of the said Cities and Towns' 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. First meeting of council.

If the mayor is to be elected by the council, such sitting, until the mayor is elected and sworn, shall be presided over by an alderman chosen from among the aldermen present." Presidency.

9. Section 63 of the said Cities and Towns' Act is replaced, for the town, by the following: R. S., c. 102, s. 63, replaced for town.

Oath of mayor and aldermen.

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

Power of mayor or aldermen to resume 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.”

Provisions applicable.

10. Section 64 of the said Cities and Towns’ Act shall not apply to the Town of Noranda up to the first juridical day of February, 1929, and, during said period, the following disposition shall apply to said town:

Remuneration of mayor and aldermen.

“The council may adopt a resolution providing remuneration for the mayor and for the aldermen, provided said remuneration does not exceed, for the mayor, four hundred dollars per year, and, for each alderman, four hundred dollars per year.”

Municipal elector.

11. For the purposes of the first election which will be held on the first juridical day of February, 1929, 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 be a municipal elector and possess the necessary property qualifications to hold municipal office.

Nomination of candidates.

12. 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.

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

13. Section 128 of the said Cities and Towns’ Act is replaced, for the town, by the following:

Persons to be entered on electoral list:

“128. 1. The following persons, if of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this act or of the charter, shall be electors, and shall be entered on the electoral lists, to wit:

Owners;

a. Male persons and widows or spinsters whose names are entered on the valuation roll in force as *bona fide* owners or occupants of immoveable property in the municipality, of the value of two hundred dollars or upwards, or of the annual value of twenty dollars or upwards, according to said roll. In cases where such property is held in usufruct,

the name of the usufructuary shall alone be entered on the electoral list;

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 nomination of candidates, in the case of the election of mayor or aldermen. 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;

Companies or corporations owning real estate;

b. The husband whose wife is seized, as owner, usufructuary, or as institute, of immoveable property in the municipality, of the value of two hundred dollars or upwards, according to the valuation roll in force, or carries on trade or keeps a place of business which renders her subject to the payment of a tax, and when such place of business is entered on the collection roll as being of the annual value of not less than twenty dollars;

Husband whose wife is owner, etc.;

c. Every male person, and every widow or spinster, being a resident householder in the municipality under a lease, whose name is entered on the collection roll in force, as tenant of a dwelling-house or part of a dwelling-house in the ward for which the list is made, of the value of two hundred dollars or upwards or of the annual value of twenty dollars or upwards, according to such roll;

Tenants;

d. Every male person, though neither owner nor householder, who is entered on the valuation roll or collection roll in force, as the tenant of any store, counting-house, shop, office, or place of business in the municipality; provided that such store, counting-house, shop, office or place of business, or the share which such person owns therein as partner, be assessed at an actual value of at least two hundred dollars, or at a yearly assessed value of at least twenty dollars, according to the valuation or collection roll.

Tenant of store, etc.

2. Nevertheless, the qualification granted by the foregoing provision to co-partners or tenants does not extend to members of associations of persons using or holding the premises for social, educational, philanthropic, and other similar objects."

Exceptions.

14. 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 re-

Voting on by-laws by companies.

presentative, 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.

Provisions applicable. **15.** Section 345 of the said Cities and Towns' Act shall not apply to the Town of Noranda up to the first juridical day of February, 1929, and, during said period, the following provision shall apply to said town:

Place of meetings. "The council shall sit at the place designated by the Minister of Municipal Affairs."

Provisions applicable. **16.** Section 346 of the said Cities and Towns' Act shall not apply to the Town of Noranda up to the first juridical day of February, 1929, and, during said period, the following provision shall apply to said town:

Date of meetings. "The council shall meet on the days and at the hours which it determines by resolution."

R. S., c. 102, s. 488, replaced for town. **17.** Section 488 of the said Cities and Towns' Act is replaced, for the town, by the following:

Exemption from taxation for certain period. "**488.** The buildings, plant and machinery in, on or under mineral land, and used mainly for obtaining mineral from the ground, or storing the same, and concentrators and sampling plant and the minerals in, on or under such land, shall not be assessable before the first day of February, 1939.

Commutation of taxes. The Town of Noranda may, by resolution of its council, commute, for a yearly payment, the taxes which, from the first of February, 1939, may be levied on the moveables and immoveables mentioned in this section."

R. S., c. 102, s. 522 replaced for town. **18.** Section 522 of the said Cities and Towns' Act is replaced, for the town, by the following:

Basis of valuation and taxation of certain lands. "**522.** All uncleared lands, wood lots, mineral lands, and all lands under mining concession within the municipality, shall be valued at not more than one hundred dollars per arpent, nor be taxed for an amount exceeding one-half of one per cent.

Additions to roll in certain cases. 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."

Additional **19.** Until the first juridical day of February, 1929, the

Minister of Municipal Affairs may, at the request of the council, grant further delay during which any other provision of the said Cities and Towns' Act may be complied with by the Town of Noranda. ^{delay for} ^{complying} ^{with certain} ^{provisions.}

20. This act shall come into force on the day of its sanction. ^{Coming into} ^{force.}
