



CHAPTER 80

An Act to incorporate the Town of Barkmere

[Assented to, the 24th of March, 1926]

WHEREAS Messrs. Albert Richard Whittall, manu-
facturer, Doctor Herbert J. Silver, commissioner,
both of the city of Westmount; Christopher H. Goulden,
merchant, of the town of Montreal-West; Arthur Reeve,
manager, of the city of Outremont; Feaforth D. MacNab,
superintendent of experimental laboratory, of the city of
Montreal; Ernest A. Bulley, surgeon-dentist, of the city of
Outremont; Thomas Stansfield Worthington, engineer, of
the city and district of Montreal; *La Maison de l'Immacu-
lée Conception*, a legally incorporated body, having its
chief office in the city of Montreal, herein acting and re-
presented by its rector and president, the Reverend Téles-
phore Filiatrault, and its secretary-treasurer, the Reverend
F. E. Labelle, both priests of the Order of the Jesuits, all
of the district of Montreal, have, by their petition, re-
presented:

That the above-mentioned religious congregation and a
great many families of the city of Montreal and elsewhere
possess properties at Bark Lake, in the townships of Arundel
and Montcalm, in the county of Argenteuil, within the
limits of the rural municipalities of Arundel and Weir;

That these properties are occupied by their owners in
the summer season;

That the present municipal organization does not meet
their needs and it has become necessary to take more
adequate measures for administering the said territory;

That it is in the public interest that all the territory set
forth in section 2 of this act be erected into a town muni-
cipality under the name of "Town of Barkmere", in con-
formity with the provisions of the Cities and Towns' Act
(Revised Statutes, 1925, chapter 102);

That it is also in the public interest to grant such muni-
cipality power to control the waters of Bark Lake, within

the limits of the territory described, and the number, form, dimensions and purposes of the buildings and dwellings to be erected or occupied within the limits of such municipality; 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:

Town incor- **1.** The residents and ratepayers of the territory com-
porated. prised within the limits hereinafter described are hereby
Name. incorporated as a town under the name of "Town of Bark-
mere".

Limits of **2.** The Town of Barkmere shall comprise: Lots numbers
Town of 1, 2, 3, 4 and 5 of the fifth range; lots numbers 1, 2, 3, 4
Barkmere. and 5 of the sixth range and the south half of lots num-
bers 1 and 2 of the seventh range of the township of Arun-
del, and, in addition, the north half of lots numbers 7, 8,
9, 10, 11, 12, 13, 14 and 15 of the fourth range; the north
half of lots numbers 1, 2, 3 and 4, lots numbers 5 to 17
inclusively, and the north half of lots numbers 18 and 19 of
the fifth range; lots numbers 1 to 19 inclusively, and the
north half of lots numbers 20 and 21 of the sixth range, and
the south half of lots numbers 1, 2, 3, 4, 15, 16, 17, 18,
19, 20 and 21 of the seventh range of the township of
Montcalm, and all the waters of Lake Ecorce (Bark Lake),
bordered by the said lots.

Provisions **3.** The corporation hereby constituted shall be governed
applicable. by the Cities and Towns' Act (Revised Statutes, 1925,
chapter 102), saving the sections which are derogated from.

Separation **4.** The town is separated from the townships of Arundel
of town. and Montcalm and from the rural municipalities of Arundel
and Weir, for municipal purposes.

Ward. **5.** The municipality shall consist of one ward.

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

Composi- "47. The municipal council shall be composed of a
tion of mayor and four aldermen, elected in the manner herein-
council. after prescribed."

R. S., c. 102, **7.** Section 49 of the said act is replaced, for the town,
s. 49, re- by the following:
placed for
town.

"49. The aldermen shall be elected for the same period, Period of office of aldermen.
by the majority of the municipal electors who have voted."

8. Paragraph 2 of section 60 and paragraph 8 of section Provisions not applicable.
123 of the said act shall not apply to the town.

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

"122. Every male person, not declared disqualified Qualification to hold office.
by law, may hold any municipal office."

10. Section 135 of the said act is replaced, for the town, R. S., c. 102, s. 135, replaced for town.
by the following:

"135. Prior to the first of June of each year, there Preparation of certain list.
shall be prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of persons entered on the valuation roll as well as on the collection roll of the municipality and qualified to be entered in the electoral list."

11. Section 143 of the said act is replaced, for the town, R. S., c. 102, s. 143, replaced for town.
by the following:

"143. If the clerk has not made the alphabetical list of Nomination of special clerk to prepare list.
electors, or has not given or published the notice required by section 139, by the third day of June, the judge of the Superior Court for the district, or, in the event of the absence of such judge, or of his inability to act, a judge of a neighbouring district or the Magistrate's Court, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a special clerk to prepare the alphabetical list of electors."

12. The polling shall be held at a single place within Place of polling.
the limits of the town, to be designated by a resolution of the council, or, in its default, by the returning-officer.

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

"173. The general election for mayor and aldermen of Date of general election.
the municipality shall be held every two years, on the second juridical Saturday in August, in accordance with the provisions hereinafter contained.

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

The proceedings and notices for such application shall, Proceedings.

as far as possible, be the same as those required for obtaining letters patent under sections 12 and following of this act.

Notice. 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."

R. S., c. 102, s. 175, replaced for town. **14.** Section 175 of the said act is replaced, for the town, by the following:

Election clerk. **"175.** Eight days at least before the last Tuesday in 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."

R. S., c. 102, s. 179, replaced for town. **15.** Section 179 of the said act is replaced, for the town, by the following:

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

- Contents.
 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 is to be held, in case a poll is necessary;
 3. The appointment of the election clerk."

R. S., c. 102, s. 181, replaced for town. **16.** Section 181 of the said act is replaced, for the town, by the following:

Date of nomination. **"181.** The nomination of candidates at a general election shall be held on the last Tuesday in July from eight to ten o'clock in the afternoon. If such day be a holiday, it shall be held on the first juridical day following such date, and during the same hours."

Seat of council. **17.** Except in the months of July and August, the council may sit in the city of Montreal, at a place fixed by resolution of the said council.

Provisional mun. council. **18.** From the coming into force of this act, the five first named petitioners shall constitute the provisional municipal council of the town. The said provisional council shall elect a mayor from among its members and such

Election of mayor. election shall be held in the city of Montreal. The said provisional council shall remain in office until the first

general elections which shall be held in 1926 according to law. Duration in office.

19. The jurisdiction of the corporation for all policing purposes shall extend over the whole extent of the waters of Bark Lake. Extent of jurisdiction.

20. The town is empowered to adopt by-laws to control and limit the number, form, dimensions and objects of the buildings and dwellings to be erected or occupied within the limits of the said municipality, and to declare where it will allow the building of certain kinds of constructions, if it deem expedient, subject to the approval of the Lieutenant-Governor in Council. Power to make by-laws to control number, etc., of buildings. Approval.

21. The town shall be bound to pay its share of the present indebtedness of the corporations of the townships of Montcalm and Arundel, in proportion to the present valuation of the lands detached from the said townships, according to their present value as shown on the valuation rolls in force in the said municipalities at the time of the coming into force of this act, and the settlement of such indebtedness between the parties shall be made in accordance with the provisions of articles 50 and following of the Municipal Code of Quebec. Liability of town for present indebtedness. Provisions applicable.

22. All costs, fees and disbursements whatever, incurred for the purpose of erecting the said territory into a town, shall be paid by the Town of Barkmere, as an ordinary debt incurred in the public interest. Costs, etc.

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