



CHAPTER 81

An Act to incorporate the Town of *Château d'Eau*

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

WHEREAS Messrs. J. Reid, dentist; Alphonse Déchéne, Preamble. merchant; Elias Thivierge, merchant; Hubert Duchêne, business agent; Siméon Boiteau, civil servant; Siméon Grondin, physician; P. A. Alain, merchant; J. W. Delaney, physician; Wm. Whelan, merchant; Henri Fortier, manufacturer; Roméo Giguère, manufacturer; Jules Déchéne, merchant; Edgar Déchéne, merchant; Mrs. Jules Larue, widow of Judge Larue; Wm. McMillan, manager; Adolphe Dombroski, merchant; William Bélanger, traveller; Edouard Chalifour, agent; Joseph Fraser, auditor; Henri Fraser, accountant; Rev. L. Boulanger, priest, and Emile Joncas, civil servant; all of the city of Quebec and elsewhere, have, by their petition, represented:

That a large number of families of the city of Quebec and elsewhere own properties at Loretteville, within the limits of the municipality of the village of Loretteville, in the county of Quebec;

That these families spend the summer season at that place;

That the present municipal organization does not meet with their requirements and that it has become necessary to take more adequate measures for the administration of such territory;

That it is in the public interest that all the territory described in section 2 of this act be erected into a town municipality under the name of "Town of Château d'Eau" in accordance with 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:

Incorporation. **1.** The inhabitants and ratepayers of the territory comprised within the limits hereinafter described are hereby incorporated as a town under the name of "Town of Château d'Eau".

Limits of town. **2.** The Town of Château d'Eau shall comprise the territory hereinafter described, each property being indicated by the number in the official cadastre for the locality;

Description. In the municipality of the village of Loretteville, Quebec county: Beginning at the intersection of the northeast shore of the river St. Charles, with the southwest limit of lot No. 1035, and following said northeast shore to its intersection with the northwest limit of the Quebec and Lake St. John Railway's right of way, following said northwest limit of the railway till it meets the southwest limit of the Valcartier road; thence, following the said southwest limit of the Valcartier road, towards the northwest, for a distance of 210 feet; thence, towards the southwest, for a distance of 160 feet; thence, towards the northwest, for a distance of 205 feet; thence, towards the northeast, for a distance of 160 feet, to the Valcartier road; thence, continuing towards the northwest, following the said southwest limit of the Valcartier road, for a distance of 375 feet; thence, towards the southwest, for a distance of 160 feet, to the northeast limit of lot No. 711, thence, towards the northwest, following the said northeast limit of lot No. 711, for a distance of 52 feet; thence, towards the southwest for a distance of 580 feet, to the southwest limit of said lot No. 711; thence, towards the northwest, following the said southwest limit of said lot No. 711, for a distance of 300 feet; thence, towards the northeast for a distance of 580 feet, to the northeast limit of lot 711; then, following the said northeast limit of said lot 711, continued until it meets with the northwest limit of a public road, a distance of 380 feet; thence, following the northwest limit of said public road, in a southwesterly direction, for a distance of 350 feet, until it meets the northeast limit of lot number 757; thence, northwesterly following the northeast limit of the said lot number 757, extended as far as the western corner of lot number 761-A; thence, northeasterly, following the said northwest limit of said lot 761-A, until it meets the Valcartier road; then, northwesterly, following the southwest limit of said Valcartier road until it meets the southeast limit of lot number 766; thence, crossing the said Valcartier road, to the west corner of lot number 764; thence towards the northeast, following the northwest limit of said lot number 764, extended to the northeast bank of river St. Charles; thence, following the windings of said bank, towards the north, south and northeast, until it meets

the northeast limit of the property belonging to Mr. G. A. Cloutier, situated on lot 1027; thence, following the said northeast limit of said property towards the southeast as far as the north corner of lot 1027-3; thence, to the northeast for a distance of 140 feet, to the northeast limit of said lot number 1027; thence, to the southeast, following the said northeast limit of said lot number 1027 to the southeast corner of lot 1027-A; thence, southwesterly, following the southeast limit of said lot 1027-A, for a distance of 40 feet; thence, southeasterly, following the northeast limit of lot 1026, for a distance of 240 feet; thence, southwesterly, for a distance of 235 feet; thence, southeasterly for a distance of 120 feet; thence, to the northeast, for a distance of 235 feet, to the northeast limit of said lot 1026; then, to the southeast following the northeast and east limits of said lot 1026, as far as its southeast limit; then, following the said southeast limit to its southern corner; thence, southeasterly, crossing the said Quebec and Lake St. John railway track, following the northeast limit of lot number 1027-B-1, for a distance of 170 feet; thence, southwesterly, following a line ending at the west corner of lot number 1035; lastly, towards the southeast, following the southwest limit of the said lot number 1035 to its point of intersection with the northeast bank of the said river St. Charles, the starting point.

Including the bed and islands of the river St. Charles, from its intersection with the Quebec and Lake St. John Railway to the northeast extremity of lot number 764 aforesaid. The whole of the territory so described, upon which there are fifty-eight dwellings, forms an area of four hundred and seventy arpents (470 arps.), more or less.

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

4. The municipality shall comprise one ward. One ward.

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

“47. The municipal council shall be composed of a mayor and of four aldermen elected in the manner herein-after prescribed.” Composition of council.

6. Section 49 of the Cities and Towns' Act is replaced, for the town, by the following: R. S., c. 102, s. 49, replaced for town.

“49. The aldermen shall be elected, for the same period, Term of

office of aldermen. by the majority of the municipal electors of the municipality who have voted."

Provisions not applicable. **7.** Paragraph 2 of section 60 and paragraph 8 of section 123 of the said act shall not apply to the town.

R. S., c. 102, s. 122, replaced for town. **8.** Section 122 of the said act is replaced, for the town, by the following:
Holding of office. **"122.** Every male person, not declared disqualified by law, may hold any municipal office."

Provisions not applicable. **9.** Sections 130, 132, 137, 140, 157 and 183 of the said act shall not apply to the town.

Place of voting. **10.** Voting shall take place at a single place in the town, which shall be determined by a resolution of the council, or, in default, by the returning-officer.

R. S., c. 102, s. 173, replaced for town. **11.** Section 173 of the said act is replaced, for the town, by the following:
Date of general election. **"173.** The general election for mayor and aldermen of the municipality shall be held every two years, on the first juridical Tuesday of August, in accordance with the provisions hereinafter contained."

R. S., c. 102, s. 175, replaced for town. **12.** 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 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."

R. S., c. 102, s. 179, replaced for town. **13.** Section 179 of the said act is replaced, for the town, by the following:
Election notice. **"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:

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

14. Section 181 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 181, re-placed for town.

"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." Date of nomination of candidates.

15. Section 210 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 210, re-placed for town.

"210. The poll shall be opened at the hour of four of the clock in the afternoon and kept open until ten of the clock in the afternoon of the same day; and the returning-officer shall, during that time, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote in the municipality." Hours for polling.

16. Section 220 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 220, re-placed for town.

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

The deputy 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." Voters not to be impeded.

17. Subsection 1 of section 240 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 240, am. for town.

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

18. Excepting in 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. Place of sittings of council.

19. After the coming into force of this act, the first five named petitioners shall compose the provisional municipal council of the town. Such provisional council shall elect a mayor from amongst its members and such election shall be held in the city of Quebec. The provisional council shall remain in office until the first general elections to be held in 1926, according to law. Provisional municipal council. Election of mayor. Tenure of office.

20. The town shall pay its share of the present debts of the corporation of the village of Loretteville *pro rata* of Duty to pay share of

debts of
corp. of
village of
Loretteville.

the present valuation of the lots detached from the said village, according to the present value, as established in the valuation roll in force in the municipality when this act comes into force, and the settlement of such debt between the parties shall be effected in accordance with the provisions of articles 50 and following of the Municipal Code of Quebec.

Power to
liberate
itself.

The town shall, nevertheless, at all times have the right to liberate itself for ever from such debt, by paying to the corporation of the village of Loretteville the principal of its portion and all arrears of interest then due.

Sinking-
fund.

The portion of the principal thus paid by the town shall be deposited in the sinking-fund for the reimbursement of such debts.

Approval.

Every such settlement of debts must be approved by the Minister of Municipal Affairs.

Costs, etc.

21. The costs, fees and disbursements whatsoever incurred for the erection of the said territory into a town shall be paid by the Town of Château d'Eau as an ordinary debt incurred in the public interest.

Coming into
force.

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